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PART I

HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

EXECUTIVE ORDERS—

Enlarging the membership of the Interagency Committee on Handicapped Employees 2411

Amending EO 11768, placing certain positions in Level IV and V of the Executive Schedule 2413

Establishing a National Commission on the Observance of International Women's Year, 1975 2415

FREEDOM OF INFORMATION—

American Battle Monuments Commission proposals on procedures, guidelines, and fees (2 documents); comments by 2–13–75 2447

State Department proposal on fees and method of payment; comments by 2–12–75 2443

State/AID proposes to revise schedule of fees for information services; comments by 2–10–75 2442

Justice Department proposal on fees for production and disclosure of information; comments by 2–12–75 2443

FTC proposed schedule of fees for document search, duplication and certification; comments by 2–10–75 2450

Export-Import Bank proposed schedule of fees for search and duplication of records; comments by 2–10–75 2449

Postal Rate Commission proposal on procedures and fees; comments by 2–4–75 2451

National Mediation Board proposal on search and duplication fees 2451

(Continued inside)

PART II:

MARITIME CARRIERS—ICC uniform system of accounts; effective 1–1–75 2499

PART III:

PESTICIDE PROGRAMS—EPA proposal on submission and approval of State plans for certification of commercial and private applicators; comments by 2–12–75 2427

PART IV:

URBAN MASS TRANSPORTATION—DOT/UMTA proposal on capital and operating assistance formula grants 2533

PART V:

MANDATORY PETROLEUM ALLOCATION—FEA rules on old oil 2559

reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

page no. and date

EPA—Arizona; approval of implementation plans..... 43277; 12–12–74

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NONDISCRIMINATION IN EMPLOYMENT—HEW/Office of Civil Rights memorandum to college and university presidents 2459

SHIPBUILDING—Commerce/MA rules on U.S. built vessels for foreign accounts; effective 1-1-75 2434

ANIMAL DRUGS—HEW/FDA approves use of tylosin and sulfamethazine in feed; effective 1-13-75 2422

PESTICIDES—EPA proposes tolerances for benomyl and carbophenothion (2 documents); comments by 2-12-75 2448

IMPORT REGULATIONS—Treasury/Customs Service proposes revised administrative rulings; comments by 3-14-75 2437

REAL PROPERTY INSURANCE—USDA/FmHA rules on use of master sets and computer printouts of certain forms; effective 1-13-75 2420

AIRCRAFT REGISTRY—DOT/FAA proposal on recording of notices of lien; comments by 2-28-75 2445

ROTORCRAFT—FAA permits limited IFR operations; effective 1-14-75 2420

CUSTOMS—Treasury/Customs Service sets procedures for obtaining advice and rulings on current transactions 2453

COMMUNITY WORK AND TRAINING PROGRAMS—HEW/SRS reinstates regulations; effective 11-4-74 2435

INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE—State Department rules on payments to or on behalf of participants; effective 1-2-75 2423

ANTIDUMPING—
- Treasury Department tentative decision on chicken eggs in the shell from Canada 2455
- Treasury Department to investigate birch 3 ply doorskins from Japan 2456

CLASS III-B PUBLIC COAST STATIONS—FCC rules on duplication of service; effective 1-17-75 2435

EMPLOYEE BENEFIT PLANS—Labor/Labor-Management Services Administration and Treasury/IRS propose exemption from prohibitions on transactions with certain broker-dealers (2 documents); comments by 1-21-75 2455

MEETINGS—
- DOD/Air: Scientific Advisory Board, 1-28 and 1-29-75 2456
- HEW/HSA: Maternal and Child Health Research Grants Review Committee, 2-13 and 2-14-75 2459
- Office of Equal Opportunity: USDA Citizens Advisory Committee on Civil Rights, 2-18 through 2-20-75 2481
- Commerce/DIBA: Computer Peripherals, Components, and Related Test Equipment Technical Advisory Committee, 1-20-75 2458
- USDA/AMS: Hop Marketing Advisory Board, 1-20-75 2457
- CRC: California State Advisory Committee, 1-21-75 2465
  - New Hampshire State Advisory Committee, 1-28-75 2465
  - New York State Advisory Committee (2 documents), 1-28 and 1-30-75 2465
- Labor: National Commission for Manpower Policy, 1-22-75 2480
- National Science Foundation: Advisory Panel for Human Cell Biology, 1-31 and 2-1-75 2480

contents

THE PRESIDENT

Executive Orders

Enlarging the membership of the Interagency Committee on Handicapped Employees 2411

National Commission on the Observance of International Women's Year, 1975; establishment 2415

Placing certain positions in Levels IV and V of the Executive Schedule 2413

AGENCY FOR INTERNATIONAL DEVELOPMENT

Proposed Rules

Freedom of information fees 2442

AGRICULTURAL MARKETING SERVICE

Notices

Hop Marketing Advisory Board 2457

AGRICULTURE DEPARTMENT

See also Agricultural Marketing Service; Farmers Home Administration; Packers and Stockyards Administration.

Rules

Authority delegations (3 documents) 2419

Notices

Walker River, et al.; feed grain donations 2458

AIR FORCE DEPARTMENT

Notices

Meetings:
- Scientific Advisory Board 2456

AMERICAN BATTLE MONUMENTS COMMISSION

Proposed Rules

Freedom of information:
- Procedures and guidelines for compliance 2447
- Schedule of fees for search and duplication of records 2447

ATOMIC ENERGY COMMISSION

Notices

Applications, etc.:
- New York State Electric & Gas Corp 2463
- Rochester Gas & Electric Corp 2463

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
- Canadian Pacific Air Lines, Ltd 2463
- Central B. C. Air Services, Ltd 2463
- Kuoni Travel, Ltd 2464
- Overseas National Airways, Inc., et al 2464
- Pacific Western Airlines, Ltd 2464
- Pan American World Airways, Inc. and Trans World Airlines, Inc 2464

CIVIL RIGHTS COMMISSION

Notices

Meetings, State advisory committees:
- California 2465
- New Hampshire 2465
- New York (2 documents) 2465

CIVIL RIGHTS OFFICE

Notices

Nondiscrimination in higher education employment; memorandum to college, university presidents 2459

CIVIL SERVICE COMMISSION

Rules

Excepted service:
- Temporary boards and commissions 2435

Information; availability of 2436

Notices

Noncareer executive assignments:
- Defense Department 2464
- Housing and Urban Development Department 2464
- Interior Department (2 documents) 2464
- Justice Department 2465
- Treasury Department 2465
- Transportation Department (2 documents) 2465

CONTENTS

COMMERCE DEPARTMENT

See Domestic and International Business Administration; Maritime Administration.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Notices

Bilateral discussions on GATT Arrangement 2466

COUNCIL ON ENVIRONMENTAL QUALITY

Notices

Environmental Statements; availability 2466

CUSTOMS SERVICE

Proposed Rules

Administrative rulings 2437

Notices

Internal advice procedures; used to obtain advice or rulings 2453

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Notices

Meetings:
- Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee 2458

DRUG ENFORCEMENT ADMINISTRATION

Notices

Registration hearings:
- Novich, Samuel D., D.V.M. 2456

EDUCATION OFFICE

Notices

Organization, functions, delegations of authority statement 2459

ENVIRONMENTAL PROTECTION AGENCY

Proposed Rules

Air quality implementation plans:
- Maryland 2448

Pesticide chemicals; tolerances, etc.:
- Benomyl 2448
- Carbophenothion 2448

Pesticide programs; submission and approval of state plans for certification of commercial and private applicators 2527

Notices

Food additives tolerance petitions:
- Chemagro Division of Mobay Chemical Corp 2468

Pesticide registrations:
- Applications 2469

EQUAL OPPORTUNITY OFFICE

Notices

Meetings:
- Citizens Advisory Committee on Civil Rights 2481

EXPORT-IMPORT BANK

Proposed Rules

Freedom of information; fee schedule for search and duplication of agency records 2449

FARMERS HOME ADMINISTRATION

Rules

Real property insurance 2420

FEDERAL AVIATION ADMINISTRATION

Rules

Control zones and transition areas (5 documents) 2421, 2422

IFR operations, limited; in rotorcraft; study 2420

Proposed Rules

Notice of lien; recordation with FAA Aircraft Registry 2445

Transition area 2445

FEDERAL COMMUNICATIONS COMMISSION

Rules

Stations on land in maritime services and Alaska; public fixed stations; editorial amendments 2435

Proposed Rules

Television; table of assignments: Nebraska 2449

Notices

Hearings, etc.:
- Lake County Broadcasters and KBMR Radio, Inc 2471
- Town & Country Radio, Inc., et al 2472
- Triplett Broadcasting Co., Inc. and Electrocom, Inc 2473

FEDERAL DISASTER ASSISTANCE ADMINISTRATION

Notices

Disaster area:
- Puerto Rico 2463
- Texas 2463

FEDERAL ENERGY ADMINISTRATION

Rules

Mandatory petroleum allocation regulations:
- Old oil; entitlement notice 2559

FEDERAL INSURANCE ADMINISTRATION

Rules

National flood insurance program:
- Areas eligible for sale of insurance (4 documents) 2424, 2425

FEDERAL MARITIME COMMISSION

Notices

Agreements filed, etc.:
- Dart Containerline Inc 2474
- Port of Oakland, et al. (2 documents) 2474

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
- Cities Service Oil Co 2478
- Exxon Corp. et al. (2 documents) 2475, 2479
- Kerr-McGee Corp 2477
- Mississippi River Transmission Corp 2477
- Natural Gas Pipe Line Co. of America 2477
- Phillips Petroleum Co 2475
- Southwest Gas Corp 2476
- Transcontinental Gas Pipe Line Co 2478
- United Natural Gas Co 2479

FEDERAL TRADE COMMISSION

Proposed Rules

Advertising, disclosure, cooling off and refund requirements concerning proprietary vocational and home study schools; postponement of hearing 2450

Flammability of plastics; disclosure requirements and prohibitions; postponement of hearing 2451

Freedom of information; schedule of fees for document search, duplication, and certification 2450

FISH AND WILDLIFE SERVICE

Proposed Rules

Marking regulations for captive-reared migratory waterfowl; extension of comments period 2444

FOOD AND DRUG ADMINISTRATION

Rules

Animal drugs 2422

HAZARDOUS MATERIALS REGULATIONS BOARD

Rules

Radioactive materials; miscellaneous amendments 2435

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Civil Rights Office; Education Office; Food and Drug Administration; Health Services Administration; Social and Rehabilitation Service.

HEALTH SERVICES ADMINISTRATION

Notices

Meetings:
- Maternal and Child Health Research Grants Review Committee 2459

HEARINGS AND APPEALS OFFICE

Notices

Applications, etc.:
- Island Creek Coal Co 2456

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Federal Disaster Assistance Administration; Federal Insurance Administration; Low-Rent Public Housing Office.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Hearings and Appeals Office; Land Management Bureau.

INTERNAL REVENUE SERVICE

Notices

Employee benefit plans; prohibitions on certain transactions:
- Exemption proceeding 2455
- Exemption proceeding; public hearing 2454

CONTENTS

INTERNATIONAL TRADE COMMISSION

Proposed Rules

Fee schedule to obtain information under the Freedom of Information Act 2452

INTERSTATE COMMERCE COMMISSION

Rules

Maritime carriers, uniform system of accounts 2499

Notices

Abandonment of service:
- Chicago & Northwestern Transportation Co 2484

Fourth section applications for relief 2484

Freight rates increases (2 documents) 2485, 2494

Hearing assignments 2484

Motor carriers:
- Irregular route property carriers; gateway elimination 2485
- Temporary authority applications 2495
- Transfer proceedings 2498

JUSTICE DEPARTMENT

See also Drug Enforcement Administration.

Proposed Rules

Freedom of information; fees for production and disclosure 2443

LABOR DEPARTMENT

See also Labor-Management Services Administration.

Notices

Review and renewal:
- Advisory Committees 2484

LABOR-MANAGEMENT SERVICES ADMINISTRATION

Notices

Proposed exemption from prohibitions on transactions between employee benefit plans and certain broker-dealers (2 documents) 2483

LAND MANAGEMENT BUREAU

Notices

Outer Continental Shelf, oil and gas leasing; relocation; hearings 2456

LOW RENT PUBLIC HOUSING OFFICE

Proposed Rules

Pagination error 2452

MANAGEMENT AND BUDGET OFFICE

Notices

Clearance of reports; list of requests 2481

MARITIME ADMINISTRATION

Rules

Building of certain vessels in U.S. shipyards for foreign accounts 2434

Proposed Rules

Conservative dividend policy, extension of comments period 2445

NATIONAL COMMISSION FOR MANPOWER POLICY

Notices

Meeting 2480

NATIONAL MEDIATION BOARD

Proposed Rules

Information, availability 2451

NATIONAL PARK SERVICE

Notices

Authority delegations:
- Chief, Contract Administration; Denver Service Center 2457

NATIONAL SCIENCE FOUNDATION

Notices

Meetings:
- Human Cell Biology Advisory Panel 2480

NATIONAL TRANSPORTATION SAFETY BOARD

Proposed Rules

Availability of information; fee schedule 2446

PACKERS AND STOCKYARDS ADMINISTRATION

Notices

Posting of Stockyards:
- Arizona Livestock Auction, Inc. and Phoenix, Ariz., et al 2457

POSTAL RATE COMMISSION

Proposed Rules

Public information and requests 2451

SMALL BUSINESS ADMINISTRATION

Rules

Field offices, listing; correction 2419

Notices

Applications, etc.:
- Dayton MESBIC, Inc 2481
- Western Venture Resources, Inc 2482

Disaster areas:
- Oklahoma 2481

SOCIAL AND REHABILITATION SERVICE

Rules

Public assistance; eligibility 2435

Notices

Organization, functions, and authority delegation statement 2462

STATE DEPARTMENT

See also Agency for International Development.

Rules

International Educational and Cultural Exchange Program; payments to participants 2423

Proposed Rules

Freedom of information fees 2443

TELECOMMUNICATIONS POLICY OFFICE

Notices

National policy for use of telecommunications to warn general public 2482

TRANSPORTATION DEPARTMENT

See Federal Aviation Administration; Hazardous Materials Regulations Board; Urban Mass Transportation Administration.

TREASURY DEPARTMENT

See also Customs Service.

Notices Int. Rev. Ser.

Antidumping; birch 3 ply doorskins from Japan 2456

Chicken eggs in shell from Canada; tentative negative determination on antidumping 2455

URBAN MASS TRANSPORTATION ADMINISTRATION

Proposed Rules

Urban mass transportation programs; interim guidelines and procedures 2533

list of cfr parts affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

3 CFR
11768 (Amended by EO 11831) ---- 2413
11830 ---- 2411
11831 ---- 2413
11832 ---- 2415

5 CFR
213 ---- 2435
294 ---- 2436

7 CFR
2 (3 documents) ---- 2419
1806 ---- 2420

10 CFR
211 ---- 2560

12 CFR
PROPOSED RULES:
404 ---- 2449

13 CFR
101 ---- 2419

14 CFR
21 ---- 2420
29 ---- 2420
71 (5 documents) ---- 2421, 2422
91 ---- 2420

PROPOSED RULES:
49 ---- 2445
401 ---- 2446

16 CFR
PROPOSED RULES:
4 ---- 2450
438 ---- 2450
439 ---- 2451

19 CFR
PROPOSED RULES:
4 ---- 2437
152 ---- 2437
174 ---- 2437
177 ---- 2437
201 ---- 2452

21 CFR
135 ---- 2422
135e ---- 2422

22 CFR
61 ---- 2423
PROPOSED RULES:
6 ---- 2443
212 ---- 2442

24 CFR
1914 (3 documents) ---- 2424, 2425
1915 ---- 2425

28 CFR
PROPOSED RULES:
16 ---- 2443

29 CFR
PROPOSED RULES:
1208 ---- 2451

36 CFR
PROPOSED RULES:
404 ---- 2447
405 ---- 2447

39 CFR
PROPOSED RULES:
3001 ---- 2451

40 CFR
PROPOSED RULES:
52 ---- 2448
171 ---- 2528
180 (2 documents) ---- 2448

45 CFR
233 ---- 2435

46 CFR
221 ---- 2434
PROPOSED RULES:
283 ---- 2445

47 CFR
81 ---- 2435
PROPOSED RULES:
73 ---- 2449

49 CFR
173 ---- 2435
178 ---- 2435
1208 ---- 2500
PROPOSED RULES:
Ch. VI ---- 2534

50 CFR
PROPOSED RULES:
21 ---- 2444

CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

The following numerical guide is a list of parts of each title of the Code Federal Regulations affected by documents published to date during January.

3 CFR

PROCLAMATIONS:

4339 — 749

EXECUTIVE ORDERS:

6073 (Revoked in part by EO 11825) — 1003
6260 (Revoked by EO 11825) — 1003
6359 (Revoked in part by EO 11825) — 1003
6556 (Revoked by EO 11825) — 1003
6560 (See EO 11825) — 1003
10289 (Revoked in part by EO 11825) — 1003
10896 (Revoked by EO 11825) — 1003
10905 (Revoked by EO 11825) — 1003
11037 (Revoked by EO 11825) — 1003
11126 (Council continued by EO 11827) — 1217
11145 (Committee continued by EO 11827) — 1217
11183 (Commission continued by EO 11827) — 1217
11287 (Committee continued by EO 11827) — 1217
11342 (Committee continued by EO 11827) — 1217
11415 (Committee continued by EO 11827) — 1217
11472 (Committee continued by EO 11827) — 1217
11562 (Council continued by EO 11827) — 1217
11583 (Council continued by EO 11827) — 1217
11625 (Council continued by EO 11827) — 1217
11667 (Committee continued by EO 11827) — 1217
11753 (Council continued by EO 11827) — 1217
11756 (See EO 11824) — 751
11768 (Amended by EO 11831) — 2413
11776 (Committee continued by EO 11827) — 1217
11807 (Council continued by EO 11827) — 1217
11824 — 751
11825 — 1003
11826 — 1004
11827 — 1217
11828 — 1219
11829 — 1497
11830 — 2411
11831 — 2413
11832 — 2415

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS OR EXECUTIVE ORDERS:

Memorandum of December 30, 1974 — 1221
Message to Congress — 1637

5 CFR

213 — 1499, 1681, 2173, 2435
294 — 2436
352 — 1223

PROPOSED RULES:

2401 — 2214

7 CFR

2 — 2419
180 — 1026
220 — 1499
270 — 1882
271 — 1884, 2204
272 — 1894
273 — 1897
274 — 1899
301 — 1223
401 — 1701, 1703
722 — 1704
730 — 1027
874 — 1028
907 — 753, 1228, 1704
910 — 753, 1228, 2205
912 — 2206
913 — 2206
916 — 1499
971 — 1028
1421 — 1029
1474 — 1705
1806 — 2420
1822 — 1229

PROPOSED RULES:

20 — 1711
26 — 2208
55 — 1706
56 — 1706
59 — 1706
70 — 1706
916 — 1515
917 — 1516
928 — 787
989 — 787, 788
1121 — 7
1126 — 7
1127 — 7
1128 — 7
1129 — 7
1130 — 7
1872 — 1253

9 CFR

73 — 757
78 — 2173
97 — 757
113 — 757
445 — 1500
447 — 1500

PROPOSED RULES:

112 — 788
113 — 788
114 — 788

10 CFR

1 — 1230

PROPOSED RULES:

19 — 799
20 — 799
40 — 2209
51 — 1005
207 — 2212
211 — 2560

12 CFR

226 — 1681
265 — 1505

12 CFR—Con.

PROPOSED RULES:

226 — 1717
329 — 2212
404 — 2449
523 — 1277
524 — 1277
525 — 1277
526 — 1277
532 — 1277
545 — 1076, 1278
556 — 1278
561 — 1076
563 — 1076
571 — 1279
588 — 1279

13 CFR

101 — 2419
107 — 1230, 1231
120 — 1682
301 — 1029

14 CFR

21 — 1029, 2173, 2420
29 — 2420
36 — 1029, 2173
39 — 1, 2, 1036, 1037, 1232, 1682
71 — 299, 1038, 1507, 1508, 1682, 2421, 2422
73 — 299, 1038
75 — 299
91 — 2420
97 — 1232
121 — 1039
239 — 1039
288 — 1040
372a — 1233

PROPOSED RULES:

21 — 1061
36 — 1061
39 — 1711
49 — 2445
71 — 1059–1061, 1518
73 — 1518
91 — 1072
401 — 2446

15 CFR

377 — 1041, 2174
399 — 1041
923 — 1683

16 CFR

2 — 760
3 — 761
4 — 761
13 — 761
1500 — 1480

PROPOSED RULES:

4 — 2450
438 — 2450
439 — 2451
1500 — 1480, 1488, 1491, 2211, 2212
1512 — 1493, 2211, 2212

17 CFR

200 — 1009
210 — 1012
231 — 1695
240 — 1012
241 — 1695
249 — 1013

PROPOSED RULES:

1 — 789
210 — 1078, 1079
240 — 1079, 1520, 1719, 2215
249 — 1079

18 CFR

PROPOSED RULES:

1 — 1077
3 — 1077

19 CFR

PROPOSED RULES:

1 — 5
4 — 2437
152 — 2437
174 — 2437
177 — 2437
201 — 2452

20 CFR

404 — 1233
405 — 1022
416 — 1508
614 — 3

PROPOSED RULES:

405 — 797, 1057
730 — 791

21 CFR

135 — 1013, 2422
135c — 1013, 1014
135e — 1013, 2422
450 — 1512
1308 — 1236

PROPOSED RULES:

940 — 8
1304 — 787
1308 — 787

22 CFR

51 — 1512
61 — 2423

PROPOSED RULES:

6 — 2443
42 — 1515
212 — 2442

23 CFR

625 — 2179
712 — 2179

24 CFR

58 — 1392
205 — 3
1914 — 766, 767, 2180, 2181, 2424, 2125
1915 — 767, 776, 2182–2203, 2425

PROPOSED RULES:

1280 — 1902

25 CFR

PROPOSED RULES:

221 — 787

26 CFR

1 — 1014, 1236, 1238, 1697
3 — 1237
11 — 1016
20 — 1240
25 — 1240

PROPOSED RULES:

1 — 1044, 1250
31 — 1251
301 — 1044

27 CFR

4 — 1240

28 CFR

PROPOSED RULES:

16 — 2443

29 CFR

99 — 2360
512 — 4
1952 — 1512
2555 — 2203

PROPOSED RULES:

1208 — 2451
1910 — 797
1952 — 1082

31 CFR

316 — 754

PROPOSED RULES:

223 — 786

32 CFR

737 — 1402
1459 — 1240
1470 — 1240

PROPOSED RULES:

286 — 2208

33 CFR

110 — 1016
127 — 1016

PROPOSED RULES:

263 — 1612
380 — 1619
384 — 1620

35 CFR

67 — 2204

36 CFR

7 — 762

PROPOSED RULES:

404 — 2447
405 — 2447

38 CFR

3 — 1241
36 — 1513

39 CFR

281 — 2179

PROPOSED RULES:

3001 — 2451

40 CFR

120 — 1041
180 — 1042, 1043, 1241, 2179
406 — 915
427 — 1874
428 — 2334
432 — 902

40 CFR—Continued

PROPOSED RULES:

52 — 1711, 2212, 2448
171 — 2528
180 — 1276, 1519, 2448
406 — 921
415 — 1712
427 — 1879
428 — 2347
432 — 912
443 — 2352

42 CFR

PROPOSED RULES:

23 — 1204
72 — 8

43 CFR

PUBLIC LAND ORDERS:

5462 — 1017

45 CFR

75 — 1242
141 — 1017
233 — 2435

PROPOSED RULES:

63 — 1516
99 — 1208, 2208
103 — 8
189 — 1053

46 CFR

221 — 2434

PROPOSED RULES:

283 — 2445
538 — 1280

47 CFR

2 — 1243
73 — 1700
81 — 2435
91 — 1021
95 — 1243

PROPOSED RULES:

21 — 800
73 — 801, 1714, 1716, 2449

49 CFR

173 — 2435
178 — 2435
571 — 4, 1246, 1248
1033 — 1700
1064 — 1248
1125 — 1624
1208 — 2500

PROPOSED RULES:

213 — 1076
395 — 2208
571 — 10
575 — 1273
581 — 10
Ch. VI — 2534
1001 — 1718
1124 — 801

50 CFR

28 — 762, 763, 1701
33 — 764, 1701
216 — 764

PROPOSED RULES:

17 — 5
21 — 2444

FEDERAL REGISTER PAGES AND DATES—JANUARY

Pages	*Date*
1–747	Jan. 2
749–1002	3
1003–1216	6
1217–1495	7
1497–1679	8
1681–2172	9
2173–2409	10
2411–2573	13

presidential documents

Title 3—The President

EXECUTIVE ORDER 11830

Enlarging the Membership of the Interagency Committee on Handicapped Employees

By virtue of the authority vested in me by section 501(a) of the Rehabilitation Act of 1973 (Public Law 93-112; 87 Stat. 390), it is hereby ordered as follows:

SECTION 1. The Interagency Committee on Handicapped Employees shall be comprised of the following (or their designees whose positions are executive level IV or higher):

(1) The Secretary of Defense.

(2) The Secretary of Labor.

(3) The Secretary of Health, Education, and Welfare.

(4) The Chairman of the Civil Service Commission.

(5) The Administrator of Veterans Affairs.

(6) The Administrator of General Services.

(7) The Chairman of the Federal Communications Commission, and

(8) such other members as the President may, from time to time, designate.

SEC. 2. The Secretary of Health, Education, and Welfare and the Chairman of the Civil Service Commission, under the provisions of section 501(a) of the Rehabilitation Act of 1973, shall serve as Co-chairmen of the Committee.

Gerald R. Ford

THE WHITE HOUSE,
January 9, 1975.

[FR Doc.75-1220 Filed 1-10-75;10:00 am]

EXECUTIVE ORDER 11831

Amending Executive Order No. 11768, Placing Certain Positions in Levels IV and V of the Executive Schedule

By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, as amended, section 1 of Executive Order No. 11768, of February 20, 1974, as amended, placing certain positions in level IV of the Executive Schedule, is further amended as follows:

(1) By deleting "(3) Administrator, Health Services and Mental Health Administration, Department of Health, Education, and Welfare." and inserting in lieu thereof "(3) Administrator, Health Services Administration, Department of Health, Education, and Welfare.",

(2) By deleting "(12) Deputy Under Secretary for Legislative Affairs, Department of Commerce." and inserting in lieu thereof "(12) Assistant to the Secretary for Congressional Affairs, Department of Commerce.",

(3) By deleting "(15) Commissioner General of the International Exposition on the Environment, Department of Commerce.", and inserting in lieu thereof "(15) Adviser to the Secretary (Counselor, Economic Policy Board), Department of the Treasury, to terminate effective as of March 1, 1975.", and

(4) By deleting "(16) Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Department of State.".

Gerald R. Ford

THE WHITE HOUSE,
January 9, 1975.

[FR Doc.75-1221 Filed 1-10-75;10:00 am]

EXECUTIVE ORDER 11832

Establishing a National Commission on the Observance of International Women's Year, 1975

There is increasing recognition of, and interest in, the contributions of women to the national life of this country in all its important aspects—cultural, political, economic, and social. Significant progress continues in advancing the rights and responsibilities of women, in opening new opportunities, and in overcoming political, legal, social, and economic handicaps to which women have long been subject. Americans must now deal with those inequities that still linger as barriers to the full participation of women in our Nation's life. We must also support and strengthen the laws that prohibit discrimination based on sex.

The United Nations General Assembly, by proclaiming 1975 as International Women's Year, has offered us an exceptional opportunity to focus attention throughout the country on the rights and responsibilities of women. Presidential Proclamation No. 4262 of January 30, 1974, called upon the Congress and the people of the United States, interested groups and organizations, officials of the Federal Government and of State and local governments, educational institutions, and all others who can be of help to provide for the national observance of International Women's Year with practical and constructive measures for the advancement of women in the United States.

I have now determined that it would be in the public interest to establish a National Commission on the Observance of International Women's Year, 1975.

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered:

SECTION 1. *Establishment of a National Commission.* (a) There is hereby established a National Commission on the Observance of International Women's Year, 1975.

(b) The Commission shall consist of not more than 35 members to be appointed by the President from among citizens in private life. The President shall designate the presiding officer, who may designate from among the members of the Commission as many vice presiding officers as necessary.

(c) The President of the Senate and the Speaker of the House of Representatives are invited to designate two Members of each House to serve on the Commission.

(d) The members of the Commission shall serve without compensation, but shall be entitled to receive travel expenses, including per diem, in lieu of subsistence as authorized by law (5 U.S.C. 5703).

SEC. 2. *Functions of the Commission.* (a) The Commission shall promote the national observance in the United States of International Women's Year. To this end, it will focus attention on the need to encourage appropriate and relevant cooperative activity in the field of women's rights and responsibilities.

(b) The Commission shall take as its action agenda the relevant parts of the resolution adopted by the United Nations General Assembly proclaiming 1975 as International Women's Year:

(1) To promote equality between men and women.

(2) To ensure the full integration of women in the total development effort, especially by emphasizing women's responsibility and important role in economic, social and cultural development at the national, regional and international levels, particularly during the Second United Nations Development Decade.

(3) To recognize the importance of women's increasing contribution to the development of friendly relations and cooperation among States and to the strengthening of world peace.

(c) The Commission shall keep itself informed of activities undertaken or planned by various organizations and groups in the United States in observance of the Year and shall consult with such groups including the United States Center for International Women's Year.

(d) The Commission shall encourage the public and private sectors to set forth objectives to be achieved as part of the program observing International Women's Year, as provided in the Presidential Proclamation.

(e) The Commission shall, through close liaison with appropriate Government agencies and their public advisory committees, keep itself informed about and make known to the public all major programs and special efforts during International Women's Year which are supported by those agencies.

(f) The Commission shall hold meetings at such times and places as the presiding officer shall determine. It may assemble and disseminate information, issue reports and other publications and conduct such other activities as it may deem appropriate to provide for effective participation of the United States in the domestic observance of International Women's Year.

(g) The Commission may establish, within the limits of available funds, such subcommittees or working groups as may be necessary for the fulfillment of its tasks. The membership may include persons not members of the Commission.

(h) The Commission shall conclude its work by the end of the year 1975 and make a report to the President within thirty days thereafter. The Commission shall then be terminated.

SEC. 3. *Assistance and Cooperation.* (a) The Commission may request any agency of the Executive branch of the Government to furnish it with such information, advice, and services as may be useful for the fulfillment of the Commission's functions under this Order.

(b) The agencies of the Executive branch are authorized, to the extent permitted by law, to provide the Commission with administrative services, information, facilities and funds necessary for its activities.

(c) The Commission may procure, subject to the availability of funds, the temporary professional services of individuals to assist in its work, in accordance with the provisions of Section 3109 of Title 5 of the United States Code.

SEC. 4. *Responsibilities of Government Departments.* Each agency of the Executive branch shall designate at least two persons, preferably a man and a woman, to be responsible for planning and implementation of projects and programs within such departments and agencies for the domestic observance of International Women's Year. Persons so designated shall constitute membership of an interdepartmental task force for International Women's Year. The Department of State shall designate the presiding officer. The task force will coordinate the activities undertaken by the Executive branch of the United States Government as well as those undertaken by the Commission in the domestic observance of International Women's Year.

Gerald R. Ford

THE WHITE HOUSE,
January 9, 1975.

[FR Doc.75-1262 Filed 1-10-75;11:14 am]

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Rev. 2]

PART 101—ADMINISTRATION

Correction

In the FEDERAL REGISTER published on December 19, 1974 (39 FR 43827), there was an omission in the listing of field offices. Section 101.3-1 should read as follows:

§ 101.3-1 Listing of Field Offices.

* * * * *

(e) Region V. Regional Office, 219 South Dearborn Street, Chicago, IL 60604. Having jurisdiction over the following district and branch offices and post-of-duty stations:

* * * * *

(2) 502 East Monroe Street, Springfield, IL 62701. Serving the Illinois counties of

* * * * *

Macoupin, Madison, Marion, Mason, Monroe.

* * * * *

Dated: January 7, 1975.

RICHARD J. SADOWSKI,
Director,
Reports Management Division.

[FR Doc.75-1019 Filed 1-10-75;8:45 am]

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Responsibility for Department Policies Relating to Physical Security

Part 2, Subtitle A, of 7 CFR is amended to delegate authority for direction of the Department's physical security program and related activities to the Office of Investigation and to revoke the present delegations to the Assistant Secretary for Administration and the Office of Operations as follows:

Subpart C—Delegations of Authority to the Under Secretary, Assistant Secretaries and Director of Agricultural Economics

Section 2.25(f)(1)(xi) is revoked and reserved as follows:

§ 2.25 Delegations of authority to the Assistant Secretary for Administration.

* * * * *

(f) *Related to operations.*

(1) * * *

(xi) [Reserved].

* * * * *

Subpart D—Delegations of Authority to Other General Officers and Agency Heads

Section 2.33 is amended by adding a new paragraph (h) as follows:

§ 2.33 Delegation of authority to the Director, Office of Investigation.

* * * * *

(h) Promulgate departmental policies, standards, techniques, and procedures, and represent the Department in maintaining the security of physical facilities, self-protection, and warden systems.

Subpart J—Delegations of Authority by the Assistant Secretary for Administration

Section 2.79(a)(1)(xi) is revoked and reserved as follows:

§ 2.79 Director, Office of Operations.

(a) * * *

(1) * * *

(xi) [Reserved].

* * * * *

Effective date. These amendments shall become effective on January 13, 1975.

For Subparts C and D.

Dated: January 6, 1975.

EARL L. BUTZ,
Secretary of Agriculture.

For Subpart J.

Dated: January 8, 1975.

JOSEPH R. WRIGHT, Jr.,
Assistant Secretary for Administration.

[FR Doc.75-1044 Filed 1-10-75;8:45 am]

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Subpart J—Delegations of Authority by the Assistant Secretary for Administration

Disadvantaged Business Assistance Programs

Sections 2.79 and 2.80, Title 7, Code of Federal Regulations, are amended to revise the delegations of authority to the Director of Operations and the Director of Equal Opportunity to re-order responsibilities with respect to disadvantaged business assistance programs within the Department.

1. In § 2.79, paragraph (a)(1)(ii) is amended to read as follows:

§ 2.79 Director, Office of Operations.

(a) * * *

(1) * * *

(ii) Socioeconomic programs relating to contracting, including small business assistance, labor surplus area assistance, labor standards, and disadvantaged business assistance: *Provided*, That with respect to disadvantaged business assistance this delegation is limited to promulgating departmental policies, standards, techniques and procedures, in consultation with the Director, Office of Equal Opportunity.

2. Section 2.80(a)(8) is amended to read as follows:

§ 2.80 Director, Office of Equal Opportunity.

(a) *Delegations* * * *

(8) Provide leadership to and coordinate the Department's programs of assistance to disadvantaged business: *Provided*, That this delegation does not include the authority to promulgate departmental policies, standards, techniques and procedures with respect to such programs.

Dated: January 8, 1975.

JOSEPH R. WRIGHT, Jr.,
Assistant Secretary for Administration.

[FR Doc.75-1045 Filed 1-10-75;8:45 am]

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Assistant Secretary for International Affairs and Commodity Programs

Part 2, Subtitle A, Title 7, Code of Federal Regulations, is amended to revise the delegations of authority to and by the Assistant Secretary for International Affairs and Commodity Programs so as to reflect the transfer of the responsibility for obtaining and reporting information with respect to export sales to the Foreign Agricultural Service.

Subpart C—Delegations of Authority to the Under Secretary, Assistant Secretaries and Directors

1. Section 2.21 is amended by adding new paragraph (d)(23) to read as follows:

§ 2.21 Delegations of authority to the Assistant Secretary for International Affairs and Commodity Programs.

* * * * *

(d) *Related to foreign agriculture.*

* * *

(23) Administer the program under section 812 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (7 USC 612c-3), relating to export sales contract reporting operations.

Subpart H—Delegations of Authority by the Assistant Secretary for International Affairs and Commodity Programs

2. Section 2.68 is amended by adding new paragraph (a)(23) to read as follows:

§ 2.68 Administrator, Foreign Agricultural Service.

(a) * * *

(23) Administer the program under section 812 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (7 USC 612c-3), relating to export sales contract reporting operations.

Effective date. October 7, 1974.

Dated: January 7, 1975.

For Subpart C:

EARL L. BUTZ,
Secretary of Agriculture.

For Subpart H:

CLAYTON YEUTTER,
Assistant Secretary for International Affairs and Commodity Programs.

[FR Doc.75-991 Filed 1-10-75;8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—GENERAL REGULATIONS

[FmHA Instruction 426.1]

PART 1806—INSURANCE

Real Property Insurance

On pages 39732-39733 of the FEDERAL REGISTER of November 11, 1974, there was published a notice of proposed rulemaking to add paragraph (b)(6) to § 1806.2 to permit insurance companies insuring FmHA borrowers to furnish master sets of insurance forms and to use a declaration page in the form of a computer printout for each FmHA borrower insured by the company in lieu of an original policy for each borrower. Section 1806.2(g)(4) was amended to reflect the change in the new § 1806.2(b)(6). Interested parties were given until December 10, 1974 to submit comments, suggestions, or objections regarding the proposed regulations.

No written objections have been received and the proposed regulations are hereby adopted without change, and are set forth below.

Effective date. This amendment is effective on January 13, 1975.

Dated: January 2, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

1. In § 1806.2, paragraphs (b)(6) and (g)(4) read as follows:

§ 1806.2 Companies and policies.

* * * * *

(b) *Insurance policies.* * * *

(6) Master sets may be accepted in lieu of an original policy for each FmHA borrower provided the master sets meet all of the requirements of this Subpart.

(i) One complete master set of the different insurance forms for policies issued by the insurance company must be on file in each county office where the company insures property of FmHA borrowers.

(ii) The "Declaration Page" furnished by the insurance company for each borrower insured in lieu of a complete policy will be filed in the borrower's case folder. When a "Declaration Page" in the form of a computer printout is used by an insurance company, an endorsement on every policy issued by that company or a letter from that company will be obtained and attached to the printout. However, a letter signed by an authorized official of the company and addressed to the State Director may cover all policies issued by that company in the State. Any such endorsements or letters should clearly state that the company considers the printout(s) to be an original "Declaration Page(s)." Such endorsements or letters are not necessary if the printout itself clearly states that it is an original "Declaration Page."

* * * * *

(g) *Mortgage clause.* * * *

(4) The FmHA and all other mortgagees whose interests are insured by the policy will be shown either in the mortgage clause or in the "Declaration Page" in the order of priority of their mortgages.

* * * * *

((7 U.S.C. 1989; 42 U.S.C. 1480); delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Assist. Sec or Rural Development, 7 CFR 2.70)

[FR Doc.75-989 Filed 1-10-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14237; SFAR No. 29]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

PART 29—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY ROTORCRAFT

PART 91—GENERAL OPERATING AND FLIGHT RULES

FAA Study of Limited IFR Operations in Rotorcraft

The purpose of this Special Federal Aviation Regulation is to provide for the issue by the Administrator of approvals for limited operations under instrument flight rules (IFR) of certain transport category rotorcraft that are limited by their type certificates to operations under visual flight rules (VFR). Such operations are necessary to permit the collection of operational data in connection with an FAA study of limited rotorcraft operations in IFR conditions.

Under the current Federal Aviation Regulations a transport category rotorcraft is certificated for VFR operation only unless it has been shown that the rotorcraft fully complies with all of the airworthiness requirements for IFR operations. The FAA believes that certain IFR operations can safely be conducted over low density routes, in off-airways operations, and in uncontrolled airspace with transport category rotorcraft that do not meet all of the present flight characteristics requirements. In this connection the FAA is conducting a study to determine whether a "limited" IFR category should be established for these rotorcraft, including flight characteristics and equipment requirements, operating procedures and limitations, flight crew requirements, and training requirements. After this study has been completed, rulemaking action may be initiated to amend the Federal Aviation Regulations to permit limited IFR operations with transport category rotorcraft that do not meet all of the present airworthiness requirements of Part 29 for unlimited operation under IFR.

Some data has already been collected from an operator of specially equipped Bell Model 212 helicopters that are flown by flight crews trained in operating those rotorcraft in IFR conditions in the Gulf of Mexico. These operations have been conducted under the authority of an exemption from the Federal Aviation Regulations. Based on information and data collected during these operations, the FAA believes the study should be expanded to include operations in other geographic areas. The FAA has also determined that any operator of transport category rotorcraft, whose aircraft equipment, procedures, and area of operation

ensure a level of safety under limited IFR operations equivalent to that provided by the present requirements of Part 29, should be allowed to participate in this study. This Special Federal Aviation Regulation will allow this participation, which the FAA has determined will be in the public interest and will not compromise safety.

Under this Special Federal Aviation Regulation, the operator of a rotorcraft that is not otherwise certificated for IFR operations may conduct an approved limited IFR operation in the rotorcraft when an approval for the operation has been issued by the Administrator. Factors that will be considered by the Administrator in issuing an approval include:

1. The inherent characteristics of the rotorcraft to be operated, including flight characteristics, performance, approach speed and ability to terminate an approach.

2. The duality, redundancy, and independence of equipment in the rotorcraft, including controls, flight instruments, electrical, communication, and navigation systems, and power and fuel systems.

3. The operator's pilot training program, with special emphasis on crew coordination during IFR operations.

4. The experience of the pilots of the rotorcraft in the environment and weather conditions in which IFR operations are to be conducted.

5. The size and relative simplicity of the area in which IFR operations are to be conducted and the distance flown on each route segment.

This Special Federal Aviation Regulation also provides as part of the study that the FAA may approve the carriage in IFR operations of less than the 45 minutes of additional fuel reserve required by § 91.23(c). In pertinent part, § 91.23 requires that, in IFR conditions, the rotorcraft must have enough fuel to complete the contemplated flight, to fly from the airport of intended landing to the alternate airport, and fly thereafter for 45 minutes at normal cruising speed. This Special Federal Aviation Regulation permits the approval of less than 45 minutes, but not less than 30 minutes, of additional fuel reserve. A factor considered in granting this approval will be the environment in which the rotorcraft is to be operated.

In view of the fact that this amendment temporarily relieves a restriction in connection with operations conducted as part of an FAA study, and since there is an immediate need for the data to be derived from the study, I find that notice and public procedure thereon are impractical and unnecessary, and good cause exists for making this amendment effective in less than 30 days.

(Secs. 313(a), 601(a), and 603 of the Federal Aviation Act of 1958; (49 U.S.C. 1354(a), 1421 (a), and 1423); sec. 6(c) of the Department of Transportation Act; (49 U.S.C. 1655(c)))

In consideration of the foregoing, the following Special Federal Aviation Regulations is adopted, effective January 14, 1975:

SPECIAL FEDERAL AVIATION REGULATION No. 29

1. Contrary provisions of Parts 21 and 29 of the Federal Aviation Regulations notwithstanding, an operator of a rotorcraft that is not otherwise certificated for IFR operations may conduct an approved limited IFR operation in the rotorcraft when—

(a) FAA approval for the operation has been issued under paragraph 2 of this SFAR;

(b) The operator complies with all conditions and limitations established by this SFAR and the approval; and

(c) A copy of the approval and this SFAR are set forth as a supplement to the rotorcraft flight manual.

2. FAA approval for the operation of a rotorcraft in limited IFR operations may be issued when the following conditions are met:

(a) The operation is approved as part of the FAA study of limited rotorcraft IFR operations.

(b) Specific FAA approval has been obtained for the following:

(i) The rotorcraft (make, model, and serial number).

(ii) The flight crew.

(iii) The routes over which the rotorcraft is to be flown or its area of operation.

(iv) The procedures to be followed in the operation of the rotorcraft under IFR and the equipment that must be operable during such operations.

(c) The conditions and limitations necessary for the safe operation of the rotorcraft in limited IFR operations have been established, approved, and incorporated in the operating limitations section of the Rotorcraft Flight Manual.

3. An approval issued under paragraph 2 of this Special Federal Aviation Regulation and the change to the Rotorcraft Flight Manual specified in paragraph 2(c) of this Special Federal Aviation Regulation constitute a supplemental type certificate for each rotorcraft approved under paragraph 2 of this SFAR. Each approval issued under this SFAR terminates on December 31, 1975, unless sooner superseded, rescinded, or otherwise terminated pursuant to the Federal Aviation Regulations.

4. Notwithstanding § 91.23(c) of the Federal Aviation Regulations, a person may operate a rotorcraft in a limited IFR operation approved under paragraph 2(a) of this Special Federal Aviation Regulation with enough fuel to fly, after reaching the alternate airport, for not less than 30 minutes, when that period of time has been approved.

This Special Federal Aviation Regulation terminates on December 31, 1975, unless sooner superseded or rescinded.

Issued in Washington, D.C., on January 3, 1975.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-968 Filed 1-10-75;8:45 am]

[Airspace Docket No. 74-NE-50]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES CONTROLLED AIRSPACE AND REPORTING POINTS

Establishment of Control Zone

On November 15, 1974, (39 FR 41181), the Federal Aviation Administration issued a Notice of Proposed Rulemaking stating that it was considering an amendment to § 71.171 of Part 71 of the Federal Aviation Regulations that would designate a control zone at Beverly Municipal Airport to coincide with the establishment of a new air traffic control tower at Beverly Municipal Airport, Beverly, Massachusetts, on January 2, 1975.

On November 26, 1974, (39 FR 43091), the Federal Aviation Administration amended the Notice, stating that the establishment of the control tower at Beverly Municipal Airport had been changed to January 13, 1975, and the effective date of the control zone designation would be changed to January 13, 1975.

Interested persons were given until December 27, 1974 to comment on the proposed designation. No objections were received.

In consideration of the fact that the air traffic control tower at the Beverly Municipal Airport will become operational on January 13, 1975, it is found it would be impractical and contrary to the public interest to have the control zone become effective later than January 13, 1975.

In view of the foregoing, the proposed regulations are hereby adopted effective 0901 g.m.t., January 13, 1975.

(Sec. 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and sec. 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)])

Issued in Burlington, Massachusetts, on December 27, 1974.

WILLIAM E. CROSBY,
Acting Director,
New England Region.

BEVERLY MUNICIPAL AIRPORT, BEVERLY, MASSACHUSETTS

Within 5-mile radius of Beverly Municipal Airport (latitude 42°35'06" N., longitude 70°55'06" W.), and within 3.5 miles each side of the 333° bearing from the Topsfield RBN, extending 8 miles northwest of the NDB. This control zone is effective from 0700 to 1900 hours, local time, daily or during the specific dates and times established by a Notice to Airmen which, thereafter, will be continuously published in the Airmen's Information Manual.

[FR Doc.75-970 Filed 1-10-75;8:45 am]

[Airspace Docket No. 74-CE-19]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES CONTROLLED AIRSPACE AND REPORTING POINTS

Designation of Transition Area

On Page 38238 of the FEDERAL REGISTER dated October 30, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Monroe City, Missouri.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby

adopted without change and is set forth below.

This amendment shall be effective 0901 g.m.t., February 27, 1975.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Kansas City, Missouri, on December 16, 1974.

A. L. COULTER,
Director, Central Region.

In § 71.181 (40 FR 441), the following transition area is added:

MONROE CITY, MISSOURI

That airspace extending upward from 700 feet above the surface within a 5 mile radius of Monroe City, Missouri Airport (latitude 39°38'05" N., longitude 91°43'40" W.) and within 4 miles each side of the 239° radial of the Quincy, Illinois VORTAC, extending from the 5 mile radius area to 8 miles northeast of the airport, and that airspace extending upward from 1,200 feet above the surface within the area southwest of the Quincy, Illinois VORTAC bounded on the north by the south edge of V116, on the west by the east edge of V175, and on the southeast by the northwest edge of V63.

[FR Doc.75-971 Filed 1-10-75;8:45 am]

[Airspace Docket No. 74-CE-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On Page 36596 of the FEDERAL REGISTER dated October 11, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Ozark, Missouri.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 g.m.t., February 27, 1975.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Kansas City, Missouri, on December 16, 1974.

A. L. COULTER,
Director, Central Region.

In § 71.181 (40 FR 441), the following transition area is added:

OZARK, MISSOURI

That airspace extending upward from 700 feet above the surface within a 5 mile radius of the Air Park South Airport (latitude 37°03'35" N., longitude 93°14'08" W.); within 2.75 miles either side of the Springfield, Missouri VORTAC (latitude 37°21'21" N., longitude 93°21'02" W.) 163T radial, extending from the 5 mile radius to 4.5 miles north, excluding that portion which overlies the Springfield, Missouri control zone and 700 feet transition areas.

[FR Doc.75-972 Filed 1-10-75;8:45 am]

[Airspace Docket No. 74-GL-39]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Transition Area

On Page 38390 of the FEDERAL REGISTER dated October 31, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Defiance, Ohio.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective March 27, 1975.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Des Plaines, Illinois, on December 17, 1974.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

In § 71.181 (40 FR 441), the following transition area is amended to read:

DEFIANCE, OHIO

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the Defiance Memorial Airport (Latitude 41°20'15" N., Longitude 84°25'45" W.); within 3.5 miles each side of the 303° bearing from the airport extending from the 6.5 mile radius area to 11.5 miles northwest of the airport.

[FR Doc.75-973 Filed 1-10-75;8:45 am]

[Airspace Docket No. 74-SO-112]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

Alteration of Transition Area

On December 3, 1974, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (39 FR 41855), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Greenville, Miss., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 g.m.t., February 27, 1975, as hereinafter set forth.

In § 71.181 (40 FR 441), the Greenville, Miss., transition area is amended as follows:

"* * * north of the VOR * * *" is deleted and "* * * north of the VOR; within 3 miles each side of the 181° bearing from Metcalf RBN, extending from the 8.5-mile radius area south of the RBN * * *" is substituted therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on December 31, 1974.

DUANE W. FREER,
Acting Director,
Southern Region.

[FR Doc.75-974 Filed 1-10-75;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER C—DRUGS

PART 135—NEW ANIMAL DRUGS

PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Tylosin and Sulfamethazine

The Commissioner of Food and Drugs has evaluated new animal drug applications filed by the following applicants proposing safe and effective use of tylosin and sulfamethazine premix in the manufacture of animal feed: Quali Tech Products, Inc., Chaska, MN 55318 (97-981V); Land O'Lakes, Inc., Agricultural Services, Fort Dodge IA 50501 (98-156V); Doboy Feeds, Domain Industries, Inc., New Richmond, WI 54017 (98-432V); Feed Fortifiers, Inc., Manson, IA 50563 (98-639V). The applications are approved.

To facilitate referencing, Land O'Lakes, Inc., is being assigned a code number and placed in the list of firms in § 135.501(c) (21 CFR 135.501(c)).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135 and 135e are amended as follows:

1. In § 135.501(c) by adding a new sponsor as follows:

§ 135.501 Names, addresses, and code numbers of sponsors of approved applications.

* * * * *

(c) * * *

Code No.	*Firm name and address*
* * * * *	
128	Land O'Lakes, Inc., Agricultural Services, 2827 Eighth Ave. South, Fort Dodge, IA 50501.

2. In § 135e.36 by revising paragraph (b) (1) and (2) and adding a new paragraph (b)(3); and by amending the table in paragraph (f) by designating the present text as item 1. and adding an additional item 2. to read as follows:

§ 135e.36 Tylosin and sulfamethazine.

* * * * *

(b) *Approvals.* Premix levels, a combination of equal amounts of tylosin and sulfamethazine, granted to firms as sponsor(s) and identified by sponsor code numbers in the list of firms in § 135.501(c) of this chapter for the conditions of use indicated in paragraph (f) of this section:

(1) To 014: 40 grams per pound each, item 1.

(2) To 014, 101: 10 grams per pound each, item 1.

(3) To 106, 117, 127, 128: 10 grams per pound each, item 2.

* * * * *

(f) * * *

Principal ingredient	Grams per ton	Limitations	Indications for use
1. Tylosin and sulfamethazine.	* * *	* * *	* * *
2. do	do	do	Maintaining weight gains and feed efficiency in the presence of atrophic rhinitis; lowering the incidence and severity of *Bordetella bronchiseptica* rhinitis; prevention of swine dysentery (vibrionic); control of swine pneumonias caused by bacterial pathogens (*Pasteurella multocida* and/or *Corynebacterium pyogenes*).

Effective date. This order shall be effective January 13, 1975.

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i).)

Dated: January 3, 1975.

FRED J. KINGMA,
Acting Director, Bureau of Veterinary Medicine.

[FR Doc.75-879 Filed 1-10-75;8:45 am]

Title 22—Foreign Relations

CHAPTER I—DEPARTMENT OF STATE

SUBCHAPTER G—INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE

[Departmental Reg. 108.709]

PART 61—PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN THE INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM

Per Diem and Maintenance Allowances

The regulations governing International Educational and Cultural Exchange are revised to provide increased per diem or maintenance allowance to participants who come to the United States to observe, consult with colleagues, demonstrate special skills or engage in specialized programs; to lecture, teach and engage in research; or to study. Accordingly, §§ 61.3(c), 61.4(c) and 61.5 (c and d) are revised as follows:

1. In § 61.3, paragraph (c) is revised to reads as follows:

§ 61.3 Grants to foreign participants to observe, consult, demonstrate special skills, or engage in specialized programs.

* * * * *

(c) *Per diem allowances.* Per diem allowance not to exceed $40 in lieu of subsistence expenses while participating in the program in the United States, its territories or possessions and while traveling within or between the United States, its territories or possessions: *Provided, however,* That, in accordance with standards and procedures prescribed from time to time by the Assistant Secretary of State for Educational and Cultural Affairs, a per diem allowance of not to exceed $50 may be established in the case of participants whose status and position require special treatment; *And provided further,* That the Assistant Secretary of State for Educational and Cultural Affairs may in the case of any particular participant authorize a per diem allowance in excess of $50. The participant shall be considered as remaining in a travel status during the entire period covered by his grant unless otherwise designated.

* * * * *

2. In § 61.4, paragraph (c) is revised to read as follows:

§ 61.4 Grants to foreign participants to lecture, teach and engage in research.

* * * * *

(c) *Per diem allowance.* Per diem allowance not to exceed $35 in lieu of subsistence expenses while participating in the program in the United States, its territories or possessions and while traveling within or between the United States, its territories or possessions: Provided however, That the Assistant Secretary of State for Educational and Cultural Affairs may, in the case of any particular participant, authorize a per diem allowance in excess of $35, but not to exceed $50.

* * * * *

3. In § 61.5, paragraphs (c) and (d) (1) are revised to read as follows:

§ 61.5 Grants to foreign participants to study.

* * * * *

(c) *Per diem allowance.* Per diem allowance not to exceed $20 in lieu of subsistence expenses while traveling (i) from point of entry in the United States, its territories or possessions, to orientation centers and while in attendance at such centers, for purposes of orientation, not to exceed 30 days, (ii) to educational institutions of affiliation, and (iii) to point of departure; and while participating in authorized field trips or conferences.

(d) *Allowances.* (1) A maintenance allowance of not to exceed $375 per month while present and in attendance at an educational institution, facility or organization.

* * * * *

Since these revisions relate solely to per diem and maintenance allowances for foreign participants in the international educational and cultural exchange program of the Department of State, who will receive actual notice in each instance of the allowances to be received, notice of proposed rulemaking and delayed effective date under 5 U.S.C. 553 is considered to be unnecessary in this instance.

Effective date: These revisions will become effective January 2, 1975.

(Sec. 4, 63 Stat. 111, as amended, 75 Stat. 527-538 (22 U.S.C. 2658, 2451 note))

For the Secretary of State.

Dated: January 2, 1975.

L. DEAN BROWN,
Deputy Under Secretary for Management.

[FR Doc.75-1018 Filed 1-10-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI 444]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24 (a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Calhoun	Jacksonville, city of	Dec. 31, 1974. Emergency	May 17, 1974		
Arkansas	Chicot	Dermott, city of	do	Mar. 22, 1974		
New Jersey	Atlantic	Corbin City, city of	do	Dec. 6, 1974		
Do	Morris	Netcong, borough of	do	May 3, 1974		
Ohio	Clermont	New Richmond, village of	do	Mar. 1, 1974		
Oregon	Linn	Harrisburg, city of	do	do		
Pennsylvania	Northampton	Easton, city of	Dec. 19, 1974. Suspension withdrawn.			
Texas	Washington	Brenham, city of	Dec. 31, 1974. Emergency	May 24, 1974		
Vermont	Chittenden	Richmond, village of	do	May 10, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974)

Issued: December 24, 1974.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-900 Filed 1-10-75;8:45 am]

[Docket No. FI 445]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Sumter	York, city of	Jan. 7, 1975. Emergency			
Arizona	Gila	Globe, city of	do	May 24, 1974		
Connecticut	Fairfield	Easton, town of	do	Oct. 18, 1974		
Florida	Orange	Edgewood, city of	do	July 19, 1974		
Missouri	New Madrid	Gideon, city of	do	Mar. 29, 1974		
Pennsylvania	Centre	Port Matilda, borough of	do	Jan. 16, 1974		
Utah	Piute	Junction, town of	do			

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974)

Issued: December 31, 1974.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-901 Filed 1-10-75;8:45 am]

[Docket No. FI 446]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Illinois	Cook	Blue Island, city of	Jan. 10, 1975. Emergency	Mar. 22, 1974		
Minnesota	Fillmore	Preston, city of	do	May 16, 1974		
Nebraska	Washington	Herman, village of	do	Nov. 15, 1974		
Pennsylvania	Synder	Franklin, township of	do	do		
Do	Allegheny	Franklin Park, borough of	do			
Do	do	Homestead, borough of	do	Nov. 30, 1973		
Do	Fayette	Perry, township of	do			
West Virginia	Logan	Chapmanville, town of	Jan. 29, 1971. Emergency	Aug. 28, 1971		
			Aug. 27, 1971. Regular.			
			Apr. 15, 1973. Suspended.			
			Jan. 3, 1975. Reinstated.			

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: January 2, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-902 Filed 1-10-75;8:45 am]

[Docket No. FI 446]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding. Since this publication is merely for the purpose of informing the public of the location of areas of special flood hazard and has no binding effect on the sale of flood insurance or the commencement of construction, notice and public procedure are impractical, unnecessary, and contrary to the public interest. Inasmuch as this publication is not a substantive rule, the identification of special hazard areas shall be effective on the date shown. Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*	*
Alabama	Dallas	Unincorporated areas.	H 010063 01 through H 010063 06	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Chairman, County of Dallas, Dallas County, Ala. No Zip.	Jan. 3, 1975.
Arkansas	Washington	Winslow, city of	H 050221 01	Division of Soil and Water Resources, State Dep rtment of Commerce, 1020 West Capitol Ave., Little Rock, Ark. 72204 Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Mayor and County Planning Board City Hall, Winslow, Ark. 72959.	Do.
California	Mendocino	Unincorporated areas.	H 060183 01 through H 060183 47	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	Chairman, Mendocino County Board of Supervisors, Courthouse, County of Mendocino, Ukiah, Calif. 95482.	Do.
Do	San Luis Obispo	do	H 060304 01 through H 060304 19	do	City Engineer's City Hall, 990 Palm St., San Luis Obispo, Calif. 93401.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*		*	*	*	*
Do	San Joaquin	Ripon, city of	H 060457 01	do	Mayor, City Hall, City of Ripon, Ripon, Calif. 95366.	Do.
Do	Alameda	Oakland, city of	H 065048 01 through H 065048 33	do	Office of the City Clerk, City Hall, City of Oakland, 14th and Washington St., Oakland, Calif. 94612.	Do.
Colorado	Gunnison	Unincorporated, areas.	H 080078 01 through H 080078 03	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Chairman, County Council, County of Gunnison, Gunnison, Colo. No Zip.	Do.
Connecticut	Litchfield	Kent, town of	H 090186 01 through H 090186 14	Department of Environmental Protection, Division of Water and Related Resources, Room 207, State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	Mayor, Town of Kent, Kent, Conn. 06112.	Do.
Florida	Franklin	Unincorporated, areas.	H 120088 01 through H 120088 07	Department of Community Affairs, 2571 Executive Center Circle East, Howard Bldg., Tallahassee, Fla. 32301. State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Clerk, Circuit Court, County of Franklin, Apalachicola, Fla. 32320.	Do.
Do	Okaloosa	do	H 120173 01 through H 120173 06	do	Clerk of the Circuit Court, Okaloosa County Courthouse, Okaloosa County, Okaloosa Island Authority Bldg., Fort Walton Beach, Fla. 32548.	Do.
Georgia	Appling	Surrency, town of.	H 130003 01	Department of Natural Resources, Office of Planning and Research 270 Washington St. SW., Room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Mayor, City Hall, Surrency, Ga. 31563.	Do.
Do	Wayne	Odum, city of	H 130189 01 through H 130189 02	do	Mayor, City Hall, City of Odum, Odum, Ga. 31555.	Do.
Illinois	Dupage	Naperville, city of.	H 170213 A 01 through H 170213 A 08	Governor's Task Force on Flood Control, P.O. Box 475, Lisle, Ill. 60532. Illinois Insurance Department, 509 State Office Bldg., Springfield, Ill. 62702.	Municipal Center, 175 West Jackson Ave., City of Naperville, Naperville, Ill. 60540.	Apr. 12, 1974. Jan. 3, 1975.
Do	La Salle	Ottawa, city of	H 170405 A 01 through H 170405 A 05	do	Mayor, City Hall, City of Ottawa, Ottawa, Ill. 61350.	Apr. 5, 1974. Jan. 3, 1975.
Do	Platt	Cerro Gordo, village of.	H 170545 01	do	President, Village of Cerro Gordo, Village Board, Cerro Gordo, Ill. 61818.	Jan. 3, 1975.
Do	do	Mansfield, village of.	H 170549 01	do	President, Village of Mansfield, Village Board, Mansfield, Ill. 61854.	Do.
Do	Schuyler	Unincorporated, areas.	H 170605 01 through H 170605 03	do	Schuyler County Judge, County of Schuyler, Schuyler County, Ill. 61335.	Do.
Do	McHenry	do	H 170432 01 through H 170432 06	do	McHenry County Regional Planning Commission, 208-210 South Throop St., McHenry County, Woodstock, Ill. 60098.	Do.
Indiana	Jefferson	do	H 180104 01 through H 180104 07	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	County Courthouse, Surveyor's Office, Jefferson County, Main and Jefferson Sts., Madison, Ind. 47250.	Do.
Do	Newton	do	H 180179 01 through H 180179 02	do	Newton County Commissioners, County of Newton, County Courthouse, Kentland, Ind. 47951.	Do.
Do	Putnam	do	H 180213 01 through H 180213 04	do	Chairman County Commissioners, County of Putnam, Courthouse, Greencastle, Ind. 46135.	Do.
Do	Spencer	do	H 180237 01 through H 180237 04	do	Planning and Zoning Administration, County Plan Commission, County of Spencer, Main Floor Courthouse, Rockport, Ind. 47586.	Do.
Do	Vigo	do	H 180263 01 through H 180263 16	do	Vigo County, West Central Indiana, Economic Development District, P.O. Box 627, 700 Wabash Ave., Terre Haute, Ind. 47808.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*	*
Iowa	Hardin	Steamboat Rock, town of.	H 190141 01 through H 190141 02	Iowa Natural Resources, Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Mayor, Town Hall, Town of Steamboat Rock, Steamboat Rock, Iowa. No Zip.	Do.
Do	Jasper	Lynnville, town of	H 190165 01	do	Mayor, Town Hall, Town of Lynnville, Lynnville, Iowa. No Zip.	Do.
Kansas	Johnson	Overland Park, city of.	H 200174 01 through H 200174 15	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	Director of Public Works, City of Overland Park, 8500 Sante Fe Dr., Overland Park, Kans. 66212.	Do.
Do	Lyon	Neosho Rapids, city of.	H 200204 01	do	Mayor, City of Neosho Rapids, Neosho Rapids, Kans. 66864.	Do.
Do	Marion	Durham, city of	H 200205 01	do	City Building, P.O. Box 87, City of Durham, Durham, Kans. 67438.	Do.
Do	Mitchell	Simpson, city of	H 200229 01	do	Mayor, City of Simpson, Simpson, Kans. 67478.	Do.
Do	Morris	Dunlap, city of	H 200235 01	do	Mayor, City of Dunlap, Dunlap, Kans. 66848.	Do.
Do	Ottawa	Culver, city of	H 200257 01	do	Mayor, City Hall, Culver City, Culver, Kans. 67435.	Do.
Do	do	Tescott, city of	H 200258 01	do	Mayor, City of Tescott, City Hall, Tescott, Kans. 67484.	Do.
Do	Pawnee	Rozel, city of	H 200260 01	do	Mayor, City Hall, City of Rozel, Rozel, Kans. 67574.	Do.
Do	Phillips	Long Island, city of.	H 200266 01	do	Mayor, City Hall, City of Long Island, Long Island, Kans. 67647.	Do.
Do	Pottawatomie	St. George, city of.	H 200174 01	do	Mayor, City Hall, City of St. George, St. George, Kans. 66535.	Do.
Do	Rush	Liebenthal, city of.	H 200309 01	do	Mayor, City Hall, City of Liebenthal, Liebenthal, Kans. 67553.	Do.
Do	do	Timken, city of	H 200313 01	do	Mayor, City of Timken, City Hall, Timken, Kans. 67582.	Do.
Kentucky	Breathitt	Unincorporated, areas.	H 210023 01 through H 210023 04	Division of Water, Kentucky, Department of Natural Resources, Capitol Plaza, Office Tower, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601.	Breathitt County Judge, County of Breathitt, Jackson, Ky. 41349.	Do.
Do	Cumberland	do	H 210060 01 through H 210060 05	do	Cumberland County Judge, County of Cumberland, Courthouse, Burkesville, Ky. 42717.	Do.
Do	Scott	do	H 210207 01 through H 210207 05	do	County Mayor, County of Scott, Scott County, Ky. 40324.	Do.
Do	do	Sadieville, city of	H 210260 01	do	Enforcement Officer, City of Sadieville, Land Use Planning, City Hall, Georgetown, Ky. 40324.	Do.
Do	do	Stamping Ground, city of.	H210261 01	do	Enforcement Officer, Land Use Planning, City Hall, City of Stamping Ground, Georgetown, Ky. 40324.	Do.
Louisiana	Bossier and Caddo Parishes.	Shreveport, city of.	H 220036 01 through H 220036 37	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Metropolitan Planning Commission, City Hall, City of Shreveport, Shreveport, La. 71130.	Do.
Do	Washington, Parish.	Angie, village of	H 220231 01	do	Mayor, Village of Angie, Angie, La. 70426.	Do.
Maine	Lincoln	Alna, town of	H 230083 01 through H 230083 07	Maine Soil and Water Conservation Commission, Augusta, Maine 04330. Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	1st Selectman, Town of Alna, Alna, Maine 04535.	Do.
Do	Oxford	Hiram, town of	H 230094 01 through H 230094 07	do	Chief Selectman, Town of Hiram, Hiram, Maine 04041.	Do.
Do	Sagadohoc	West Bath, town of.	H 230211 01 through H 230211 06	do	City Manager, City Hall, Bath, Maine 04530.	Do.
Do	Lincoln	Edgecomb, town of.	H 230217 01 through H 230217 08	do	Town Manager, Town of Edgecomb, Edgecomb, Maine. No Zip.	Do.
Do	do	Westport, town of.	H 230222 01 through H 230222 05	do	Town Manager, Town of Westport, Westport, Maine. No Zip.	Do.
Do	Knox	Cushing, town of	H 230224 01 through H 230224 09	do	Town Manager, Town of Cushing, Cushing, Maine No Zip.	Do.
Do	do	Friendship, town of.	H 230225 01 through H 230225 10	do	Town Manager, Town of Friendship, Friendship, Maine 04547.	Do.
Do	Hancock	Waltham, town of.	H 230301 01 through H 230301 04	do	Town Manager, Town of Waltham, Waltham, Maine. No Zip.	Do.
Do	Somerset	Ripley, town of	H 230368 01 through H 230368 07	do	Town Manager, Town of Ripley, Ripley, Maine. No Zip.	Do.
Do	Penobscot	Bradford, town of.	H 230373 01 through H 230373 12	do	Town Manager, Town of Bradford, Bradford, Maine 04410.	Do.
Do	do	Veazie, town of	H 230403 01 through H 230403 02	do	Town Manager, Town of Veazie, Veazie, Maine 04401.	Do.
Do	Aroostook	Bridgewater, town of.	H 230421 01 through H 230421 12	do	Town Manager, Town of Bridgewater, Bridgewater, Maine 04735.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*		*	*	*	*
Michigan	Benzie	Lake, township of.	H 260030 01 through H 260030 13	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Mosmer St., Lansing, Mich. 48913.	Municipal Bldg., Lake Township, Lake Township Hall, Bridgman, Mich. 49106.	Do.
Do	Iosco	Alabaster, township of.	H 260249 01 through H 260249 08	do	Office of the Township Supervisor, 1760 South U.S. 23, Township of Alabaster, Tawas City, Mich. 48763.	Do.
Do	Allegan	Laketown, township of.	H 260253 01 through H 260253 07	do	Laketown Township Supervisor, Township of Laketown, 710 W. 48th St., Route 1, Holland, Mich. 49423.	Do.
Do	Delta	Unincorporated areas.	H 260260 01 through H 260260 05	do	Delta County Courthouse, Delta County, 310 Ludington St., Escanaba, Mich. 49829.	Do.
Do	Shiawassee	Caledonia, township of.	H 260300 01 through H 260300 12	do	Caledonia Township Hall, 135 North State Rd., Township of Caledonia, Corunna, Mich. 48817.	Do.
Minnesota	Anoka	Centerville, city of.	H 270068 A 01	Division of Water, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Mayor, City of Centerville, Hugo, Minn. 55038.	May 3, 1974. Jan. 3, 1975.
Do	Ramsey	Unincorporated, areas.	H 270374 01 through H 270374 13	do	Chairman, Ramsey County, Ramsey, Minn. No Zip.	Jan. 3, 1975.
Do	Redwood	Redwood Falls, city of.	H 270393 A 01 through H 270393 A 02	do	Mayor, City Hall, City of Redwood Falls, Redwood Falls, Minn. 56283.	June 7, 1974. Jan. 3, 1975.
Do	Mahnomen	Bejou, city of	H 270555 01	do	City Manager, City of Bejou, Bejou, Minn. 56516.	Jan. 3, 1975.
Do	Blue Earth	Vernon Center, city of.	H 270608 01	do	City Manager, City of Vernon Center, Vernon Center, Minn. 56090.	Do.
Do	Sherburne	Clearlake, city of	H 270664 01	do	Mayor, City Hall, City of Clearlake, Clearlake, Minn. 55310	Do.
Do	Wright	Annandale, city of.	H 270665 01	do	Mayor, City Hall, City of Annandale, Annandale, Minn. 55302.	Do.
Missouri	St. Louis	Peerless Park, village of.	H 290378 01	Department of Natural Resources, Division of Program and Policy Development, Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Village Hall, Village of Peerless Park, Peerless Park, Mo. 63088.	Do.
Montana	Golden Valley	Ryegate, town of	H 300052 01	Montana Department of Natural Resources and Conservation, Water Resources Division, 32 South Ewing St. Helena, Mont. 59601. Montana Insurance Department, Capitol Building, Helena, Mont. 59601.	Chairman, Board of County Commissioners, Town of Ryegate, Ryegate, Mont. 59074.	Do.
Do	Roosevelt	Brainville, town of.	H 300066 01	do	Mayor, Town of Brainville, Brainville, Mont. 59212.	Do.
Do	Park	Clyde Park, town of.	H 300091 01	do	Mayor, Town of Clyde Park, City Hall, Clyde Park, Mont. 59018.	Do.
Nebraska	Boyd	Bristow, village of.	H 310012 01	Nebraska Natural Resources Commission, 7th Floor, Terminal Bldg., Lincoln Nebr. 68508. Nebraska Insurance Department 1835 L St., Lincoln, Nebr. 68509.	Mayor, Village of Bristow, Bristow, Nebr. 68719.	Do.
Do	Madison and Platte.	Newman Grove, city of.	H 310303 01 through H 310303 02	do	Mayor, City of Newman Grove, City Hall, Newman Grove, Nebr. 68758.	Do.
Nevada	Douglas	Unincorporated areas.	H 320008 01 through H 320008 04	Division of Water Resources, Department of Conservation and Natural Resources, Nye Bldg., Carson City, Nev. 89701. Nevada Insurance Division, Department of Commerce, Nye Bldg., Carson City, Nev. 89701.	Building Department, Court House, Douglas County, Minden, Nev. 89423.	Do.
New Hampshire	Cheshire	Keene, city of	H 330023 01 through H 330023 12	Office of State Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301. New Hampshire Insurance Department, 78 North Main St., Concord, N.H. 03301.	City Planning Department, City Hall, City of Keene, 3 Washington St., Keene, N.H. 03431.	Do.
Do	Grafton	Hebron, town of	H 330058 01 through H 330058 04	do	Chairman, Planning Board, Hebron, N.H. 03241.	Do.
Do	Sullivan	Langdon, town of.	H 330159 01 through H 330159 02	do	Chairman, Board of Selectman, Town of Langdon, Alstead, N.H. 03602.	Do.
Do	Cheshire	Slurry, town of	H 330170 01 through H 330170 02	do	Town Manager, Town of Slurry, Slurry, N.H. 03431.	Do.
Do	do	Troy, town of	H 330173 01 through H 330173 02	do	Town Manager, Town of Troy, Troy, N.H. 03465.	Do.
Do	Rockingham	Atkinson, town of.	H 330175 01 through H 330175 02	do	Town Manager, Town of Atkinson, Atkinson, N.H. 03811.	Do.
Do	Belknap	Barnstead, town of.	H 330177 01 through H 330177 05	do	Town Manager, Town of Barnstead, Barnstead, N.H. 03218.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*		*	*	*	*
Do	Carroll	Brookfield, town of.	H 330179 01 through H 330179 03	do	Town Manager, Town of Brookfield, Brookfield, N.H.	Do.
Do	do	Chatham, town of.	H 330181 01 through H 330181 07	do	Town Manager, Town of Chatham, Chatham, N.H.	Do.
Do	Coos	Clarksville, town of.	H 330184 01 through H 330184 08	do	Town Manager, Town of Clarksville, Clarksville, N.H.	Do.
Do	do	Columbia, town of.	H 330185 01 through H 330185 08	do	Town Manager, Town of Columbia, Columbia, N.H.	Do.
Do	do	Randolph, town of.	H 330187 01 through H 330187 12	do	Town Manager, Town of Randolph, Randolph, N.H. 03593.	Do.
Do	Cheshire	Richmond, town of.	H 330188 04 through H 330188 04	do	Town Manager, Town of Richmond, Richmond, N.H.	Do.
Do	Strafford	Rollinsford, town of.	H 330190 01 through H 330190 03	do	Town Manager, Town of Rollinsford, Rollinsford, N.H. 03869.	Do.
Do	Rockingham	Sandown, town of.	H 330191 01 through H 330191 02	do	Town Manager, Town of Sandown, Sandown, N.H. 03873.	Do.
New Jersey	Atlantic	Galloway, township of.	H 340008 01 through H 340008 28	Bureau of Water Control, Department of Environmental Protection, P.O. Box 1390, Trenton, N.J. 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Township Clerk's Office, Galloway Township, Municipal Bldg., Cologne, N.J. 08213.	Do.
Do	Bergen	Rockleigh, borough of.	H 340071 01	do	Mayor, Rockleigh Rd., Rockleigh, N.J. 07647.	Do.
Do	Morris	Hanover, township of.	H 340343A 01 through H 340343A 04	do	Municipal Bldg., 1000 Route 10, Township of Hanover, Whippany, N.J. 07981.	Dec. 28, 1973. Jan. 3, 1975.
Do	Warren	Washington, township of.	H 340496A 01 through H 340496A 06	do	Mayor, Township of Washington, Rural Delivery No. 1, Washington, N.J. 07882.	Jan. 3, 1975.
New Mexico	Dona Ana	Unincorporated areas.	H 350012 01 through H 350012 22	State Engineer's Office, Batsan Memorial Bldg., Santa Fe, N. Mex. 87501. New Mexico Department of Insurance, P.O. Box 1269, Santa Fe, N. Mex. 87501.	Chairman, Dona Ana County Commission, County of Dona Ana, County Courthouse, Las Cruces, N. Mex. 88001.	Do.
New York	Broome	Vestal, town of	H 360057A 01 through H 360057A 14	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, 123 William St., New York, N.Y. 10038.	Town Supervisor, Town of Vestal, 605 Vestal Parkway West, Vestal, N.Y. 13850.	Apr. 5, 1974. Jan. 3, 1975.
Do	Sullivan	Delaware, town of.	H 360818A 01 through H 360818A 03	do	Town Supervisor, Town of Delaware, Callicoon, N.Y. 12723.	Jan. 3, 1975.
Do	Allegany	Friendship, town of	H 361100 01 through H 361100 12	do	Mayor, Town of Friendship, Friendship, N.Y. 14739.	Do.
Do	Franklin	Altamont, town of.	H 361162 01 through H 361162 33	do	Town Supervisor, Town of Altamont, Altamont, N.Y. 12009.	Do.
Do	St. Lawrence	Brasher, town of	H 361171 01 through H 361171 26	do	Town Manager, Town of Brasher, Brasher, N.Y. 13613.	Do.
Do	Steuben	Greenwood, town of.	H 361210 01 through H 361210 12	do	Town Manager, Town of Greenwood, Greenwood, N.Y. 14839.	Do.
Do	Washington	Whitehall, town of.	H 361239 01 through H 361239 07	do	Mayor, Town of Whitehall, Whitehall, N.Y. 12887.	Do.
Do	Livingston	Lima, town of	H 361286 01 through H 361286 03	do	Town Manager, Town of Lima, Lima, N.Y. 14485.	Do.
Do	Columbia	Hillsdale, town of.	H 361320 01 through H 361320 16	do	Mayor, Town Hall, Town of Hillsdale, Hillsdale, N.Y. 12529.	Do.
Do	Allegany	Birdsall, town of	H 361362 01 through H 361362 03	do	Town Manager, Town of Birdsall, Birdsall, N.Y.	Do.
Do	do	Granger, town of	H 361363 01 through H 361363 03	do	Town Manager, Town of Granger, Granger, N.Y.	Do.
Do	Cattaraugus	Delevan, village of.	H 361368 01	do	Village Manager, Village of Delevan, Delevan, N.Y. 14042.	Do.
Do	Chautauqua	Mina, town of	H 361371 01 through H 361371 04	do	Town Manager, Town of Mina, Mina, N.Y.	Do.
Do	Clinton	Altona, town of	H 361379 01 through	do	Town Manager, Town of Altona, Altona, N.Y. 12910.	Do.
Do	Franklin	Burke, town of	H 361394 01 through H 361394 03	do	Town Manager, Town of Burke, Burke, N.Y. 12917.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*	*	*	*	*	*
Do	do	Constable, town of.	H 361305 01 through H 361305 02	do	Town Manager, Town of Constable, Constable, N.Y. 12926.	Do.
Do	Herkimer	Ohio, town of	H 361408 01 through H 361408 23	do	Town Manager, Town of Ohio, Ohio, N.Y.	Do.
Do	Madison	Stockbridge	H 361412 01 through H 361412 02	do	Town Manager, Town of Stockbridge, Stockbridge, N.Y.	Do.
Do	Oswego	Boylston, town of.	H 361415 01 through H 361415 04	do	Town Manager, Town of Boylston, Boylston, N.Y.	Do.
Do	Otsego	Laurens, town of.	H 361419 01 through H 361419 04	do	Town Manager, Town of Laurens, Laurens, N.Y. 13796.	Do.
Do	St. Lawrence	Clare, town of	H 361422 01 through H 361422 06	do	Town Manager, Town of Clare, Clare, N.Y.	Do.
Do	do	Stockholm, town of.	H 361429 01 through H 361429 06	do	Town Manager, Town of Stockholm, Stockholm, N.Y.	Do.
Do	Schoharie	Blenheim, town of.	H 361430 01 through H 361430 06	do	Town Manager, Town of Blenheim, Blenheim, N.Y.	Do.
Do	do	Broome, town of.	H 361431 01 through H 361431 04	do	Town Manager, Town of Broome, Broome, N.Y.	Do.
Do	Washington	Hampton, town of.	H 361442 01 through H 361442 02	do	Town Manager, Town of Hampton, Hampton, N.Y. 12837.	Do.
Do	Steuben	North Hornell, village of.	H 361477 01	do	Mayor, Village of North Hornell, Village Hall, West Maplewood Ave., North Hornell, N.Y. 14843.	Do.
Do	Franklin	Burke, village of.	H 361479 01	do	Village Manager, Village of Burke, Burke, N.Y. 12917.	Do.
Do	do	Chateaugay, village of.	H 361481 01	do	Village Manager, Village of Chateaugay, Chateaugay, N.Y. 12920.	Do.
Do	Fulton	Broadalbin, village of.	H 361482 01	do	Town Manager, Town of Broadalbin, Broadalbin, N.Y. 12025.	Do.
Do	Clinton	Dannemora, village of.	H 361487 01	do	Village Manager, Village of Dannemora, Dannemora, N.Y. 12929.	Do.
Do	do	Mooers, village of.	H 361488 01	do	Village Manager, Village of Mooers, Mooers, N.Y. 12958.	Do.
Do	Chautauqua	Forestville, village of.	H 361501 01	do	Village Manager, Village of Forestville, Forestville, N.Y. 14062.	Do.
Do	do	Sherman, village of.	H 361502 01	do	Town Board, Town Hall, 124 Chautauqua Ave., Village of Sherman, Lakewood, N.Y. 14750.	Do.
Do	Jefferson	Black River, village of.	H 361525 01 through H 361525 04	do	Mayor, Village of Black River, Black River, N.Y. 13612.	Do.
Do	Steuben	Canton, town of.	H 361539 01 through H 361539 04	do	Town Manager, Town of Canton, Canton, N.Y.	Do.
North Carolina	Alamance	Unincorporated areas.	H 370001 01 through H 370001 07	North Carolina Office of Water and Air Resources, Department, of Natural and Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611. North Carolina Insurance Department, P.O. Box 26387, Raleigh, N.C. 27611.	County Commissioners, Courthouse Annex, Alamance County, Graham, N.C. 27253.	Do.
Do	Ashe	do	H 370007 01 through H 370007 05	do	Chairman, Ashe County Board of Commissioners, Ashe County, Jefferson, N.C. 28640.	Do.
Do	Avery	do	H 370010 01 through H 370010 04	do	Chairman, Avery County Board of Commissioners, Courthouse, Avery County, Newland, N.C. 28657.	Do.
Do	Johnston	do	H 370138 01 through H 370138 08	do	Chairman, Johnston County Commissioners, Johnston County, Johnston, N.C.	Do.
Do	Pasquotank	do	H 370184 01 through H 370184 05	do	Chairman, Pasquotank County Planning Board, Pasquotank County, Elizabeth City, N.C. 27909.	Do.
Do	Randolph	do	H 370195 01 through H 370195 02	do	Chairman, County Commissioners, Courthouse, Randolph County, Asheboro, N.C. 27203.	Do.
Ohio	Hardin	do	H 390250 01 through H 390250 03	Ohio Department of Natural Resources, Fountain Square, Columbus, Ohio 43224. Director of Insurance, State of Ohio, Department of Insurance, 115 East Rich St., Columbus, Ohio 43215.	Mayor, County Hardin, City Hall, Ada, Ohio 45810.	Do.
Do	Pike	do	H 390450 01 through H 390450 07	do	Chairman, Pike County Board of Commissioners, Courthouse, County of Pike, Waverly, Ohio 45690.	Do.
Do	Vinton	do	H 390553 01 through H 390553 02	do	Mayor, County of Vinton, Vinton, Ohio No ZIP.	Do.
Do	Wayne	do	H 390574 01 through H 390574 02	do	Mayor, City Hall, County of Wayne, Wayne, Ohio 43466.	Do.
Do	Lawrence	South Point, village of.	H 390630 01	do	Village Manager, Village of South Point, South Point, Ohio 45680.	Do.
Do	Franklin	Dublin, village of.	H 390673 01 through H 390673 04	do	Village of Dublin, 129 South High St., Dublin, Ohio 43017.	Do.

State	County	Location	Map No.	State map repository	Local ma repository	Effective date of identification of areas which have special flood hazards
*	*		*	*	*	*
Pennsylvania	Tioga	Sullivan, township of.	H 421183 01 through H 421183 12	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120 Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Chairman, Board of Supervisors, Township of Sullivan, Rural Delivery No. 3, Columbia Cross Roads, Pa. 16914.	Do.
Do	Adams	Franklin, township of.	H 421250 01 through H 421250 18	do	Chairman, Board of Supervisors, Township of Franklin, Rural Delivery No. 1, Orrtanna, Pa. 17353.	Do.
Do	do	Straban, township of.	H 421259 01 through H 421259 11	do	Chairman, Board of Supervisors, Township of Straban, Rural Delivery No. 4, Gettysburg, Pa. 17325.	Do.
Do	Allegheny	Bradford Woods, borough of.	H 421262 01	do	Mayor, Bradford Rd, Bradford Woods, Pa. 15015.	Do.
Do	Bedford	Colerain, township of.	H 421334 01 through H 421334 13	do	Chairman, Board of Supervisors, Township of Colerain, Rural Delivery No. 4, Bedford, Pa. 15522.	Do.
Do	do	Hopewell, township of.	H 421339 01 through H 421339 11	do	Chairman, Board of Supervisors, Rural Delivery No. 1, Hopewell, Pa. 16650.	Do.
Do	do	Liberty, township of.	H 421343 01 through H 421343 10	do	Chairman, Board of Supervisors, Township of Liberty, Rural Delivery, Saxton, Pa. 16678.	Do.
Do	do	Lincoln, township of.	H 421344 01 through H 421344 06	do	Chairman, Board of Supervisors, Township of Lincoln, Rural Delivery No. 1, Alum Bank, Pa. 15521.	Do.
Do	do	Union, township of.	H 421352 01 through H 421352 07	do	Chairman, Board of Supervisors, Township of Union, Rural Delivery 1, Imler, Pa. 16655.	Do.
Do	Blair	Logan, township of.	H 421391 01 through H 421391 15	do	Chairman, Board of Supervisors, Township of Logan, Rural Delivery 1, Box 489, Altoona, Pa.	Do.
Do	Carbon	Lausanne, township of.	H 421454 01 through H 421454 02	do	Chairman, Board of Supervisors, Township of Lausanne, Rural Delivery 2, Weatherly, Pa. 18255.	Do.
Do	Clearfield	Graham, township of.	H 421522 01 through H 421522 13	do	Chairman, Board of Supervisors, Township of Graham, Rural Delivery 1, Morrisdale, Pa. 16858.	Do.
Do	Columbia	Conyngham, township of.	H 421549 01 through H 421549 03	do	Chairman, Board of Supervisors, Township of Conyngham, 345 3d St., Wilburton, Pa. 17888.	Do.
Do	Crawford	Spartansburg, borough of.	H 421561 01	do	Mayor, Borough of Spartansburg, Spartansburg, Pa. 16434.	Do.
Do	Cumberland	Dickinson, township of.	H 421580 01 through H 421580 06	do	Chairman, Board of Supervisors, Township of Dickinson, Rural Delivery 5, Carlisle, Pa. 17013.	Do.
Do	do	Penn, township of.	H 421584 01 through H 421584 07	do	Chairman, Board of Supervisors, Township of Penn, Rural Delivery 1, Newville, Pa. 17241.	Do.
Do	do	Upper Frankford, township of.	H 421588 01 through H 421588 07	do	Chairman, Board of Supervisors, Township of Upper Frankford, Rural Delivery 5, Newville, Pa. 17241.	Do.
Do	Fayette	German, township of.	H 421627 01 through H 421627 04	do	Chairman, Board of Supervisors, Township of German, Rural Delivery 1, Box 375, McClellandtown, Pa. 15458.	Do.
Do	do	Jefferson, township of.	H 421629 01 through H 421629 04	do	Chairman, Board of Supervisors, Township of Jefferson, Rural Delivery 1, Fayette City, Pa. 15438.	Do.
Do	do	South Union, township of.	H 421637 01 through H 421637 07	do	South Union Township Bldg., Township of South Union, Municipal Bldg., Rural Delivery No. 2, Box 623, Uniontown, Pa. 15401.	Do.
Do	Franklin	Guilford, township of.	H 421650 01 through H 421650 20	do	Chairman, Board of Supervisors, Township of Guilford, P.O. Box 116, Marion, Pa. 17235.	Do.
Do	Huntingdon	Lincoln, township of.	H 421693 01 through H 421693 06	do	Chairman, Board of Supervisors, Township of Lincoln, Entriken, Pa. 16638.	Do.
Do	Indiana	Brush Valley, township of.	H 421710 01 through H 421710 04	do	Chairman, Board of Supervisors, Township of Brush Valley, Rural Delivery 4, Indiana, Pa. 15701.	Do.
Do	do	Montgomery, township of.	H 421719 01 through H 421719 08	do	Chairman, Board of Supervisors, Township of Montgomery, Cherry Tree, Pa. 15724.	Do.
Do	do	Pine, township of.	H 421720 01 through H 421720 05	do	Chairman, Board of Supervisors, Township of Pine, Rural Delivery 1, Barnesboro, Pa. 15714.	Do.
Do	Juniata	Milford, township of.	H 421743 01 through H 421743 14	do	Chairman, Board of Supervisors, Township of Milford, Rural Delivery 2, Port Royal, Pa. 17082.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
*	*		*	*	*	*
Do	Lackawanna	Fell, township of	H 421753 01 through H 421753 06	do	Chairman, Board of Supervisors, Township of Fell, 721 Moss Ave., Simpson, Pa. 18407.	Do.
Do	do	Madison, township of.	H 421755 01 through H 421755 07	do	Chairman, Board of Supervisors, Township of Madison, State Route, Moscow, Pa. 18444.	Do.
Do	Luzerne	Huntington, township of.	H 421832 01 through H 421832 05	do	Huntington Township Election House, Rural Delivery No. 2, Township of Huntington, York Springs, Pa. 17372.	Do.
Do	Monroe	Jackson, township of.	H 421889 01 through H 421889 09	do	Chairman, Board of Supervisors, Township of Jackson, Rural Delivery No. 3, Stroudsburg, Pa. 18360.	Do.
Do	do	Tobyhanna, township of.	H 421897 01 through H 421897 10	do	Chairman, Board of Supervisors, Township of Tobyhanna, Pocono Pines, Pa. 18350.	Do.
Do	Pike	Lackawaxen, township of.	H 421966 01 through H 421966 24	do	Chairman, Board of Supervisors, Township of Lackawaxen, Greeley, Pa. 18425.	Do.
Do	do	Lehman, township of.	H 421967 01 through H 421967 15	do	Chairman, Board of Supervisors, Township of Lehman, Rural Delivery No. 1, Bushkill, Pa. 18324.	Do.
Do	Schuylkill	Hegins, township of.	H 422008 01 through H 422008 12	do	Chairman, Board of Supervisors, 801 East Main St., Hegins, Pa. 17938.	Do.
Do	Snyder	Perry, township of.	H 422038 01 through H 422038 09	do	Chairman, Board of Supervisors, Township of Perry, Rural Delivery No. 1, Mount Pleasant Mills, Pa. 17853.	Do. Do.
Do	Somerset	Summit, township of.	H 422056 01 through H 422056 07	do	Chairman, Board of Supervisors, Township of Summit, Rural Delivery 3, Meyersdale, Pa. 15552.	Do.
Do	Tioga	Farmington, township of.	H 422067 01 through H 422067 11	do	Chairman, Board of Supervisors, Rural Delivery 1, Tioga, Pa. 16946.	Do.
Do	Washington	Dunlevy, borough of.	H 422133 01	do	Mayor, Box 129, Dunlevy, Pa. 15432	Do.
Do	do	Somerset, township of.	H 422154 01 through H 422154 11	do	Chairman, Board of Supervisors, Township of Somerset, Rural Delivery 1, Eighty Four, Pa. 15330.	Do.
Do	York	Carroll, township of.	H 422216 01 through H 422216 05	do	Carroll Township, Municipal Bldg., Rural Delivery 2, Chestnut Grove Rd., Dillsburg, Pa. 17019.	Do.
Do	do	Shrewsbury, township of.	H 422230 01 through H 422230 15	do	Chairman, Board of Supervisors, Township of Shrewsbury, Rural Delivery 3, Glen Rock, Pa. 17327.	Do.
Do	Chester	Parkesburg, borough of.	H 422277 01 through H 422277 03	do	Mayor, 309 Strasburg Ave., Parkesburg, Pa. 19365.	Do.
Do	do	Elverson, borough of.	H 422287 01 through H 422287 03	do	Mayor, Main St., Elverson, Pa. 19520	Do.
Do	Beaver	Brighton, township of.	H 422309 01 through H 422309 06	do	Chairman, Board of Supervisors, Township of Brighton, 2410 Dutch Rd., Rural Delivery 1, Beaver, Pa. 15009.	Do.
Do	do	Homewood, borough of.	H 422318 01	do	Mayor, Borough of Homewood, Box 52, Racine, Pa. 15010.	Do.
Do	do	New Sewickly, township of.	H 422323 01 through H 422323 04	do	Chairman, Board of Supervisors, Township of New Sewickly, Rural Delivery 1, Rochester, Pa. 15074.	Do.
Do	Bucks	Silverdale, borough of.	H 422338 01	do	Mayor, Silverdale, Pa. 18962.	Do.
Do	Clarion	Monroe, township of.	H 422372 01 through H 422372 03	do	Chairman, Board of Supervisors, Township of Monroe, Rural Delivery No. 1, Sligo, Pa. 16255.	Do.
Do	Clearfield	Ferguson, township of.	H 422380 01 through H 422380 10	do	Chairman, Board of Supervisors, Township of Ferguson, Rural Delivery No. 2, Curwensville, Pa. 16833.	Do.
Do	Crawford	Rome, township of.	H 422395 01 through H 422395 13	do	Chairman, Board of Supervisors, Township of Rome, Rural Delivery No. 1, Centerville, Pa. 16404.	Do.
Do	do	South Shenango, township of.	H 422397 01 through H 422397 09	do	Chairman, Board of Supervisors, Township of South Shenango, Rural Delivery No. 1, Jamestown, Pa. 16134.	Do.
Do	Greene	Freeport, township of.	H 422432 01	do	Chairman, Board of Supervisors, Township of Freeport, Rural Delivery No. 2, New Freeport, Pa. 15352.	Do.
Do	Jefferson	Clover, township of.	H 422442 01 through H 422442 06	do	Chairman, Board of Supervisors, Township of Clover, Rural Delivery No. 1, Corsica, Pa. 15829.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	do	Ringgold, township of.	H 422447 01 through H 422447 06	do	Chairman, Board of Supervisors, Township of Ringgold, Rural Delivery 4, Box 98-R, Punxsutawney, Pa. 15767.	Do.
Do	Lackawanna	Jefferson, township of.	H 422457 01 through H 422457 11	do	Chairman, Board of Supervisors, Township of Jefferson, Rural Delivery 4, Lake Ariel, Pa. 18436.	Do.
Do	Mercer	Fredonia, borough of.	H 422477 01	do	Mayor, 1009 2d St., Fredonia, Pa. 16124.	Do.
Do	do	Jackson Center, borough of.	H 422479 01 through H 422479 02	do	Mayor, Rural Delivery 2, Jackson Center, Pa. 16133.	Do.
Do	do	Jamestown, borough of.	H 422481 01	do	Mayor, P.O. Box 94, Jamestown, Pa. 16134.	Do.
Do	Somerset	Addison, township of.	H 422508 01 through H 422508 06	do	Chairman, Board of Supervisors, Rural Delivery 1, Addison, Pa. 15411.	Do.
Do	do	Allegheny, township of.	H 422509 01 through H 422509 04	do	Chairman, Board of Supervisors, Rural Delivery 1, Township of Allegheny, Fairhope, Pa. 15538.	Do.
Do	do	Middlecreek, township of.	H 422518 01 through H 422518 05	do	Chairman, Board of Supervisors, Township of Middlecreek, Rural Delivery 3, Rockwood, Pa. 15557.	Do.
Do	do	Milford, township of.	H 422519 01 through H 422519 03	do	Chairman, Board of Supervisors, Township of Milford, Rural Delivery 1, Rockwood, Pa. 15557.	Do.
Do	do	Northampton, township of.	H 422520 01 through H 422520 03	do	Chairman, Board of Supervisors, Township of Northampton, Rural Delivery 1, Glencoe, Pa. 15543.	Do.
Do	do	Stoneycreek, township of.	H 422524 01 through H 422524 09	do	Chairman, Board of Supervisors, Township of Stoneycreek, Rural Delivery 1, Berlin, Pa. 15530.	Do.
Do	Washington	Ellsworth, borough of.	H 422553 01 through H 422553 02	do	Mayor, Borough of Ellsworth, Ellsworth, Pa. 15331.	Do.
Do	do	Hopewell, township of.	H 422556 01 through H 422556 02	do	Chairman, Board of Supervisors, Rural Delivery 1, Township of Hopewell, Avella, Pa. 15312.	Do.
Do	do	South Franklin, township of.	H 422563 01 through H 422563 03	do	Chairman, Board of Supervisors, Township of South Franklin, Rural Delivery 6, Washington, Pa. 15301.	Do.
Do	Wayne	Lebanon, township of.	H 422567 01 through H 422567 12	do	Chairman, Board of Supervisors, Township of Lebanon, Rural Delivery 3, Honesdale, Pa. 18431.	Do.
Do	York	Fawn Grove, borough of.	H 422570 01 through H 422570 03	do	Mayor, Fawn Grove, Pa. 17321	Do.
Do	Greene	Franklin, township of.	H 422595 01 through H 422595 04	do	Chairman, Board of Supervisors, Township of Franklin, Rural Delivery 4, Waynesburg, Pa. 15367.	Do.
Do	Chester	Easttown, township of.	H 422600 01 through H 422600 04	do	Chairman, Board of Supervisors, Township of Easttown, Box 66, Berwyn, Pa. 19312.	Do.
Do	do	West Fallowfield, township of.	H 422602 01 through H 422602 02	do	Chairman, Board of Supervisors, township of West Fallowfield, Cochranville, Pa. 19330.	Do.
Do	Cambria	Cresson, township of.	H 422605 01 through H 422605 04	do	Chairman, Board of Supervisors, township of Cresson, 703 Portage Rd., Cresson, Pa. 16630.	Do.
Rhode Island	Providence	Cumberland, town of.	H 440016 01 through H 440016 08	Rhode Island Statewide Planning Program, 265 Melrose St., Providence, R.I. 02907. Rhode Island Insurance Division, 169 Weybosset St., Providence, R.I. 02903.	Chairman, town council, town of Cumberland, Cumberland, R.I. 02864.	Do.
Do	Washington	New Shoreham, town of.	H 440036 01 through H 440036 05	do	President, town council, town of New Shoreham, New Shoreham, R.I.	Do.
South Carolina	Aiken	Unincorporated areas.	H 450002 01 through H 450002 20	South Carolina Resources, P.O. Drawer 164, 700 Knox Abbott Drive, Cayce, S.C. 29033. South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Mayor, county of Aiken, Aiken, S.C. 29201.	Do.
Do	Calhoun	Cameron, town of.	H 450032 01	do	Mayor, town of Cameron, P.O. Box 641, Cameron, S.C. 29030.	Do.
Do	Georgetown	Unincorporated areas.	H 450085 01 through H 450085 19	do	Chairman, county council, courthouse, Georgetown County, Georgetown, S.C. 29440.	Do.
South Dakota	Potter	Lebanon, town of.	H 460008 01	South Dakota Planning Agency, State Capitol Bldg., Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.	Mayor, town of Lebanon, city hall, Lebanon, S. Dak. 57455.	Do.
Tennessee	Dyer	Trimble, town of.	H 470223 01	Tennessee State Planning Office, 660 Capitol Hill Bldg., Nashville, Tenn. 37219. Tennessee Department of Insurance & Banking, 114 State Office Bldg., Nashville, Tenn. 37219.	Mayor, City Hall, Town of Trimble, Trimble, Tenn. 38259.	Do.
Do	Gibson	Medina, city of	H 470225 01	do	Mayor, City Hall, City of Medina, Medina, Tenn. 38355.	Do.
Do	Lauderdale	Gates, town of	H 470232 01	do	Mayor, Town Hall, Town of Gates, Gates, Tenn. 38037.	Do.
Do	do	Henning, town of.	H 470233 01	do	Mayor, Town Hall, Town of Henning, Henning, Tenn. 38041.	Do.
Do	Obion	Rives, city of	H 470235 01	do	Mayor, City Hall, City of Rives, Rives, Tenn. 38253.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Vermont	Bennington	Landgrove, town of.	H 500178 01	Management and Engineering Division, Water Resources Department, State Office Bldg., Montpelier, Vt. 05602. Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Town manager, town of Landgrove, Landgrove, Vt.	Do.
Do	Chittenden	Westford, town of.	H 500203 01 through H 500203 03	do	Town Manager, Town of Westford, Westford, Vt. 05494.	Do.
Do	Rutland	West Haven, town of.	H 500272 01 through H 500272 03	do	Town Manager, Town of West Haven, West Haven, Vt.	Do.
Do	Windham	Newfane, village of.	H 500284 01	do	Chairman, Newfane Board of Selectmen, Newfane, Vt. 05345.	Do.
Do	Windsor	Perkinsville, village of.	H 500296 01	do	Village Manager, Village of Perkinsville, Perkinsville, Vt. 05151.	Do.
Do	Chittenden	Charlotte, town of.	H 500309 01 through H 500309 04	do	Town Manager, Town of Charlotte, Charlotte, Vt. 05445.	Do.
Do	Orleans	Westmore, town of.	H 500311 01 through H 500311 04	do	Town manager, town of Westmore, Westmore, Vt. 05874.	Do.
Virginia	Independent	Charlottesville, city of.	H 510033A 01 through H 510033A 03	Bureau of Water Control Management, State Water Control Bldg., 11 South 10th St., Richmond, Va. 23219. Virginia Insurance Department, 209 Blanton Bldg., P.O. Box 1157, Richmond Va. 23209.	Mayor, city hall, city of Charlottesville, Charlottesville, Va. 22902.	Do.
Washington	Columbia	Starbuck, city of.	H 530031 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	City council, city of Starbuck, Starbuck, Wash. 99359.	Do.
West Virginia	Boone	Unincorporated areas.	H 540007 01 through H 540007 34	Office of Federal-State Relations, Room W. 115, Capitol Bldg., Charleston, W. Va. 25305. West Virginia Insurance Department, State Capitol, Charleston, W. Va. 25305.	County manager, county of Boone, Boone County, W. Va. 25130.	Do.
Do	Gilmer	do	H 540035 01 through H 540035 22	do	County court of Gilmer County, county of Gilmer, Glenville, W. Va. 26351.	Do.
Do	Summers	do	H 540186 01 through H 540186 26	do	Summers county court, county of Summers, Hinton, W. Va. 25951.	Do.
Do	Pleasants	do	H 540225 01 through H 540225 11	do	County manager, county of Pleasants, Pleasants County, W. Va.	Do.
Do	Wayne	Ceredo, town of.	H 540232 01 through H 540232 03	do	Town Manager, Town of Ceredo, Ceredo, W. Va. 25507.	Do.
Wisconsin	Dodge	Unincorporated areas.	H 550094 01 through H 550094 03	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 212 N. Bassett St., Madison, Wis. 53703.	Dodge County Courthouse, Dodge County, Juneau, Wis. 53039.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: January 2, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-903 Filed 1-10-75;8:45 am]

Title 46—Shipping

CHAPTER II—MARITIME ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

PART 221—DOCUMENTATION, TRANSFER OR CHARTER OF VESSELS

Building of Certain Vessels for Foreign Account

Section 37 of the Shipping Act, 1916 (40 Stat. 901, 46 U.S.C. 835) prohibits during a war or a national emergency proclaimed by the President, without the approval of the Secretary of Commerce, the building of vessels in a United States shipyard for foreign account and the departure from the United States of vessels constructed in whole or in part in a United States shipyard, which have never been cleared for a foreign port, before they have been documented under the laws of the United States. On December 29, 1972, the Assistant Secretary of Commerce for Maritime Affairs promulgated a rule that granted blanket approval with respect to such transactions. (46 CFR 221.4 (37 FR 28751).) Section 37 of the Shipping Act, 1916, also prohibits certain other transactions without such approval, and the foregoing rule granted blanket approval with respect to some such transactions involving vessels having an overall length of 65 feet or less. On March 15, 1974, the Assistant Secretary withdrew all such blanket approval with respect to vessels that are or will be engaged in the fishing industry. (46 CFR 221.4 (39 FR 10572).) The purpose of this amendment is to again grant such blanket approval with respect to the building of vessels in a United States shipyard for foreign account and the departure from the United States of vessels constructed in whole or in part in a United States shipyard, which have never been cleared for a foreign port, before they have been documented under the laws of the United States.

It should be noted that this amendment to 46 CFR 221.4 is not retroactive. Thus, the blanket approval does not apply to any contract, agreement or understanding entered into prior to January 1, 1975, to construct in a United States shipyard for foreign account vessels that will be engaged in the fishing industry, or to vessels constructed by or under construction on said date. Such transactions will continue to be handled on a vessel-by-vessel basis.

Part 221, Title 46, Code of Federal Regulations, is amended by revising paragraphs (c) and (d) of § 221.4 to read as follows:

§ 221.4 Approval of certain transactions covered by section 37, Shipping Act, 1916, as amended.

* * * * *

(c) The entrance into any contract, agreement or understanding to construct within the United States a vessel of any size for or to be delivered to a person not a citizen of the United States; and the transfer to or placing under foreign registry or flag of any such vessel;

(d) The departure from any port of the United States of any vessel which was constructed in whole or in part within the United States, has not been documented under the laws of the United States, and has never been cleared for any foreign port.

Effective date. January 1, 1975.

(Sec. 43, Shipping Act, 1916, as amended (46 U.S.C. 841(a)), Reorganization Plans No. 21 of 1950 (64 Stat. 1273) and No. 7 of 1961 (75 Stat. 840) as amended by Pub. L. 91-469 (48 Stat. 840) as amended by Pub. L. 91-469 (84 ganization Order 10-8 (38 FR 19707, July 23, 1973))

Dated: January 8, 1975.

By Order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-1063 Filed 1-10-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA-PUBLIC FIXED STATIONS

Editorial Amendment

1. By this order, it is intended to clarify § 81.303(a) of the rules, namely to restate in clearer form the type of duplication which will not be permitted by Class III-B Public Coast Stations operating on the same channel.

2. Section 81.303(a) refers to service area determination using the methodology set forth in Subpart R of Part 81 of the rules and states that no duplication, thus computed, will be permitted. An additional criterion appears in § 81.811 regarding the ratio of desired to undesired signal strengths. The additional criterion in § 81.811 is likely to be overlooked by applicants. This criterion applies only to stations operating on the same channel. Such stations must also satisfy all other requirements which apply to stations not operating on the same channel. Accordingly, the language of § 81.811 will be added to § 81.303(a) to clarify this matter.

3. Authority for this amendment appears in section 4(i) and 303(r) of the Communications Act of 1934, as amended, and in § 0.231(d) of the Commission's rules and regulations. Since the amendment is editorial in nature, intended merely to clarify the requirement and not to substantively alter it ,the prior notice and effective date provisions of the Administrative Procedure Act, 5 USC 553, do not apply.

4. In view of the above, *It is ordered,* That the rule amendment set forth below shall be adopted effective January 17, 1975.

Adopted: December 30, 1974.

Released: January 7, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] R. D. LICHTWARDT,
Acting Executive Director.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; (47 U.S.C. 154, 303))

Part 81 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

Section 81.303(a) of the rules is amended to read as follows:

§ 81.303 Duplication of Service.

(a) No duplication of service areas as determined by Subpart R of this part of the rules, will be permitted by Class III-B Public Coast stations operating on the same public correspondence channel. Within the service area of a station, the ratio of desired to undesired co-channel signal strengths on public correspondence channels shall be at least 12dB.

* * * * *

[FR Doc.75-1008 Filed 1-10-75;8:45 am]

Title 49—Transportation

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS REGULATIONS BOARD

[Docket No. HM-111; Amdt. Nos. 171-28, 173-90, 174-25, 175-12, 177-32, 178-35]

RADIOACTIVE MATERIALS

Miscellaneous Amendments

Corrections

In FR Doc. 74-30289 appearing at page 45238 in the issue for Tuesday, December 31, 1974, the following changes should be made:

1. The words "December 31, 1975" should be inserted in the following places:

(a) In § 173.394(a)(1) in the last sentence, on page 45241, in the third column;

(b) In § 173.395(a)(1) in the last sentence, on page 45242, in the first column;

(c) In § 173.398(a)(4) Note 1 in the last sentence, on page 45244, in the first column; and

(d) In § 178.103-3(c)(1) in the last sentence, on page 45246, in the middle column.

2. In § 173.396(f)(2) the first sentence, on page 45243, in the middle column, change roman numeral "II" to "III"; and delete the second line from the bottom.

3. In § 178.34-4, on page 45245, the table appearing at the bottom of the page, under "Flange O.D." change "bolts" and "Inches" to "Inches" and "Centimeters".

4. In § 178.121-1(c), on page 45250, in the third column, the tenth line down, the figures in parentheses should read "(0.2-inch)".

5. In § 178.194-7, the illustration at the top of the first column, on page 45253 should be designated "(b) Spec. 20WC-5".

6. The words "§ 178.195-6 Typical assembly detail" which appear on page 45253, the third column, the 14th line down, should appear in bold face type as the heading to the illustration which follows immediately below.

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 233—COVERAGE AND CONDITIONS OF ELIGIBILITY IN PUBLIC ASSISTANCE PROGRAMS

Community Work and Training Program; Reinstatement of Regulation

On November 4, 1974, a notice was published in the FEDERAL REGISTER (39 FR 38902) revoking 45 CFR 233.140, which prohibited Federal financial participation in payments for work performed (except in the Work Incentive Program and under the work experience and training programs authorized by title V of the Economic Opportunity Act) by recipients under the Aid to Families with Dependent Children (AFDC) program. The revocation was made effective immediately since it was considered to be a technical amendment to resolve confusion caused by the continued existence of the regulation after the decision in New York Department of Social Services v. Dublino, 413 U.S. 405 (1973).

The Department is presently developing a rule to establish criteria for state work programs consistent with Dublino and for Federal financial participation therein. When developed this rule will be published in proposed form in the FEDERAL REGISTER and public comment will be solicited. For that reason the Department has decided to repeal the revocation and reinstate § 233.140 at this time.

Effective date. The repeal of the revocation of 45 CFR 233.140 shall be effective as of November 4, 1974.

Dated: January 9, 1975.

Approved:

CASPAR W. WEINBERGER,
Secretary.

JAMES S. DWIGHT, Jr.,
Administrator, Social and Rehabilitation Service.

[FR Doc.75-1192 Filed 1-10-75;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Temporary Boards and Commissions

Section 213.3199 is amended to show that until August 15, 1975, all positions

on the staff of the Council on Wage and Price Stability are excepted under Schedule A.

Effective on publication in the FEDERAL REGISTER, § 213.3199(r) is added as set out below.

§ 213.3199 Temporary boards and commissions.

* * * * *

(r) *Council on Wage and Price Stability.* (1) Until August 15, 1975, all positions on the staff of the Council.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1167 Filed 1-13-75;8:45 am]

PART 294—AVAILABILITY OF OFFICIAL INFORMATION

Subpart A—General Provisions

PLACES WHERE INFORMATION MAY BE OBTAINED

Due to reorganization of the Bureaus of Manpower Information Systems and Policies and Standards, § 294.105 is amended under the headings "Subject Matter" and "Bureau or Staff Office" by deleting "Official Personnel Folder, Bureau of Policies and Standards," and "Appeals, Bureau of Policies and Standards," and adding the following:

§ 294.105 [Amended]

(a) * * *

Subject matter	*Bureau or staff office*
* * *	* *
Basic personnel records and files.	Bureau of Manpower, Information Systems.
Appeals, statistics and copies of bar decisions.	Bureau of Personnel Management Evaluation.

(5 USC 552.1104)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1037 Filed 1-10-75;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Parts 4, 152, 174, and 177]

ADMINISTRATIVE RULINGS

Proposed Revision Relating to Issuance of Administrative Rulings by Headquarters Office

Notice is hereby given that under the authority of 5 U.S.C. 301, R.S. 251, as amended (19 U.S.C. 66), section 624, 46 Stat. 759 (19 U.S.C. 1624), and 77A Stat. 14 (General Headnote 11, Tariff Schedules of the United States; 19 U.S.C. 1202), it is proposed to revise the Customs Regulations to set forth in a new part, Part 177, provisions relating to the issuance of administrative rulings to importers and other interested persons by the Headquarters Office of the United States Customs Service.

The provisions of proposed Part 177 are intended to replace the administrative ruling procedures presently set forth in § 4.80a(d) and §§ 152.14 and 152.15 of the Customs Regulations (19 CFR 4.80a(d), 152.14–15), which relate to the application of the coastwise laws and to tariff classification matters, respectively. It is proposed to amend § 4.80a (d), to delete §§ 152.14 and 152.15, and to set forth in proposed Part 177 a uniform procedure under which rulings could be requested and issued with respect to Customs transactions involving these and other matters. The proposed provisions describe the situations in which a ruling will be issued, the procedures to be followed in requesting a ruling, and the effect of a ruling when it is issued, and provide for the publication of significant rulings in the Customs Bulletin.

To complement the proposed ruling procedures, proposed § 177.11 describes situations in which a Customs Service field office may request advice from the Headquarters Office to resolve questions arising in connection with a Customs transaction under consideration by the field office. Inasmuch as that section would permit the Headquarters Office to refuse to consider a request for such advice when the questions presented can be raised by the importer or other interested party in the form of a protest filed under Part 174 of the Customs Regulations (19 CFR Part 174), it is proposed to amend § 174.24 by adding a new paragraph, (d), to list the allegation of such a refusal as one of the criteria for granting further review of a protest.

The provisions of proposed Part 177 are not intended as a substitute for, and do not replace, the administrative rulings, determinations, or decisions which may be requested under procedures set forth elsewhere in the Customs Regulations, including those set forth in Part 12 (relating to submissions of proof of admissibility of articles detained under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307)), Part 103 (relating to disclosure of information in Customs files), Part 133 (relating to disputed claims of piratical copying of copyrighted matter), Subpart C of Part 152 (relating to determinations concerning the dutiable value of merchandise by Customs field officers), Part 153 (relating to enforcement of the Antidumping Act, 1921, as amended), Part 159 (insofar as it relates to countervailing duties), Part 171 (relating to fines, penalties, and forfeitures), Part 172 (relating to liquidated damages), Part 174 (relating to protests), and Part 175 (relating to petitions filed by American manufacturers, producers, or wholesalers, pursuant to section 516 of the Tariff Act of 1930, as amended (19 U.S.C. 1516)). In each of the cited areas, the applicable provisions for obtaining rulings, determinations, or decisions shall continue to be followed.

Accordingly, it is proposed to amend Chapter I of title 19 of the Code of Federal Regulations in the manner set forth below:

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

It is proposed to amend paragraph (d) of § 4.80a to read as follows:

§ 4.80a Passengers on foreign vessels taken on board and landed in the United States.

* * * * *

(d) The owner or charterer of a foreign vessel or any other interested party may request from Headquarters, United States Customs Service, an advisory ruling as to whether or not the primary object of a contemplated voyage would be considered to be coastwise transportation in violation of 46 U.S.C. 289. Such a request shall be filed in accordance with the provisions of Part 177 of this chapter.

PART 152—CLASSIFICATION AND APPRAISEMENT OF MERCHANDISE

It is proposed to amend Part 152 by deleting §§ 152.14 and 152.15, and to amend the first sentence of § 152.16 to read as follows:

§ 152.14–152.15 [Deleted]

§ 152.16 Judicial changes in classification.

The following procedures apply to changes in classification made by decision of either the United States Customs Court or the United States Court of Customs and Patent Appeals, except to the extent otherwise provided in a ruling published in the Customs Bulletin pursuant to § 177.10(a) of this chapter:

* * * * *

PART 174—PROTESTS

It is proposed to amend § 174.24 by deleting the word "or", which appears after paragraph (b), by deleting the period (".") which appears after paragraph (c) and replacing it with a semicolon (";") and the word "or", and by adding a new paragraph, (d), to read as follow:

§ 174.24 Criteria for further review.

* * * * *

(d) Is alleged to involve questions which the Headquarters Office, United States Customs Service, refused to consider in the form of a request for internal advice pursuant to § 177.11(b)(5) of this chapter.

It is proposed to add a new part, Part 177—Administrative Rulings, to read as follows:

PART 177—ADMINISTRATIVE RULINGS

Sec.
177.0 Scope.
177.1 General ruling practice and definitions.
177.2 Submission of ruling requests.
177.3 Nonconforming requests for rulings.
177.4 Oral discussion of issues.
177.5 Change in status of transaction.
177.6 Withdrawal of ruling requests.
177.7 Situations in which no ruling will be issued.
177.8 Issuance of rulings.
177.9 Effect of ruling letters; modification or revocation.
177.10 Publication of rulings.
177.11 Requests for advice by field offices.

AUTHORITY: R.S. 251, as amended, sec. 624, 46 Stat. 759, 77A Stat. 14; (5 U.S.C. 301), (19 U.S.C. 66, 1202) (General Headnote 11), 1624.

§ 177.0 Scope.

This part relates to the issuance of rulings to importers and other interested persons by the Headquarters Office of the United States Customs Service. It describes the situations in which a ruling may be requested, the procedures to be following in requesting a ruling, the conditions under which a ruling will be issued, the effect of a ruling when it is issued, and the publication of rulings in the Customs Bulletin. The rulings issued under the provisions of this part will usually be prospective in application and, consequently, will usually not relate to specific matters or situations presently or previously under consideration by any Customs Service field office. Accordingly, the rulings requested under the provisions of this part should be distinguished

from the administrative rulings, determinations, or decisions which may be requested under procedures set forth elsewhere in this chapter, including, but not limited to, those set forth in Part 12 (relating to submissions of proof of admissibility of articles detained under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307)), Part 103 (relating to disclosure of information in Customs files), Part 133 (relating to disputed claims of piratical copying of copyrighted matter), Subpart C of Part 152 (relating to determinations concerning the dutiable value of merchandise by Customs field officers), Part 153 (relating to enforcement of the Antidumping Act, 1921, as amended), Part 159 (insofar as it relates to countervailing duties), Part 171 (relating to fines, penalties, and forfeitures), Part 172 (relating to liquidated damages), Part 174 (relating to protests), and Part 175 (relating to petitions filed by American manufacturers, producers, or wholesalers pursuant to section 516 of the Tariff Act of 1930, as amended). Neither do the provisions of Part 177 apply to requests for decisions of an operational, administrative, or investigative nature which are properly within the cognizance of a Customs Headquarters Office other than the Office of Regulations and Rulings.

§ 177.1 General ruling practice and definitions.

(a) *The issuance of rulings generally*—(1) *Prospective transactions.* It is in the interest of the sound administration of the Customs and related laws that persons engaging in any transaction affected by those laws fully understand the consequences of that transaction prior to its consummation. For this reason, the Headquarters Office of the United States Customs Service will give full and careful consideration to written requests from importers or other interested parties for rulings or information setting forth, with respect to a specifically described Customs transaction, a definitive interpretation of applicable law, or other appropriate information. Generally, a ruling may be requested under the provisions of this part only with respect to prospective transactions—that is, transactions which are not already pending before a Customs Service office by reason of arrival, entry, or otherwise.

(2) *Current or completed transactions*—(i) *Current transactions.* A question arising in connection with a Customs transaction already before a Customs Service office will normally be resolved by that office in accordance with the principles and precedents previously announced by the Headquarters Office. If such a question cannot be resolved on the basis of clearly established rules set forth in the Customs and related laws, or in the regulations thereunder, or in applicable Treasury Decisions, rulings, opinions, or court decisions published in the Customs Bulletin, that office may be requested to forward the question to the Headquarters Office for consideration, as more fully described in § 177.11.

(ii) *Completed transactions.* A question arising in connection with an entry of merchandise which has been liquidated, or in connection with any other completed Customs transaction, may not be the subject of a ruling request.

(b) *Oral advice.* The Customs Service will not issue rulings in response to oral requests, nor will Headquarters Office personnel ordinarily discuss a substantive Customs question prior to receiving a written request for a ruling. Oral opinions or advice of Customs Service personnel are not binding on the Customs Service. However, oral inquiries may be made to Customs Service offices regarding the types of transactions with respect to which the Headquarters Office will issue a ruling, regarding the scope of the ruling which may be issued, or regarding the procedures to be followed in submitting a ruling request, as described in this part.

(c) *Who may request a ruling.* A ruling may be requested by any person who, as an importer or exporter of merchandise, or otherwise, has a direct and demonstrable interest in the question or questions presented in the ruling request, or by the authorized agent of such person. A "person" in this context includes an individual, corporation, partnership, association, or other entity or group.

(d) *Definitions.* (1) A "ruling" is a written statement issued by the Headquarters Office that interprets and applies the provisions of the Customs and related laws to a specific set of facts. A "ruling letter" is a ruling issued in response to a written request therefor and set forth in a letter addressed to the person making the request or his designee. A "published" ruling is one which has been published in the Customs Bulletin in sufficient detail to permit its application to other transactions.

(2) An "information letter" is a written statement issued by the Headquarters Office that does no more than call attention to a well-established interpretation or principle of Customs law, without applying it to a particular set of facts. An information letter may be issued in response to a request for a ruling when (i) the request suggests that general information, rather than a ruling, is actually being sought, (ii) the request is incomplete or otherwise fails to meet the requirements set forth in this part, or (iii) the ruling requested cannot be issued for any other reason, and (iv) it is believed that general information may be of some benefit to the party making the request.

(3) A "Customs transaction" is an act or activity to which the Customs and related laws apply. A "prospective" Customs transaction is one that is contemplated or is currently being undertaken and has not resulted in any arrival or the filing of any entry or other document, or in any other act to bring the transaction, or any part of it, under the jurisdiction of any Customs Service office. A "current" Customs transaction is one which is presently under consideration by a field office (port, district, or region) of the Customs Service. A "completed" Customs transaction is one which has been acted upon by a Customs Service field office and with respect to which that office has issued a determination which is final in nature, but subject to appeal, petition, protest, or other review, as provided in the applicable Customs laws and regulations.

(4) An "authorized agent" is a person expressly authorized by a principal to act on his behalf. A ruling requested by an attorney or other person acting as an agent must include a statement describing the authority under which the request is made. With the exception of attorneys whose authority to represent is known, any person appearing before the Customs Service as an agent in connection with a ruling request may be required to present evidence of his authority to represent the principal. The foregoing requirements will not apply to an individual representing his full-time employer, or to a bona-fide officer, director, or other qualified representative of a corporation, association, or organized group.

(5) The term "Customs and related laws," as generally used in this part, includes any provision of the Tariff Act of 1930, as amended (including the Tariff Schedules of the United States), or the Customs Regulations, or any provision contained in other legislation (including the navigation laws), regulations, treaties, orders, proclamations, or other agreements administered by the Customs Service.

(6) The term "Headquarters Office," as used herein, means the Office of Regulations and Rulings at Headquarters, United States Customs Service, Washington, D.C.

§ 177.2 Submission of ruling requests.

(a) *Form.* A request for a ruling should be in the form of a letter addressed to the Commissioner of Customs, Attention: Office of Regulations and Rulings, Washington, D.C. 20229. The Division and Branch in the Office of Regulations and Rulings to which the request should be directed may also be indicated, if known.

(b) *Content*—(1) *Generally.* Each request for a ruling must contain a complete statement of all relevant facts relating to the transaction. Such facts include the names, addresses, and other identifying information of all interested parties (if known); the name of the port or place at which any article involved in the transaction will arrive or be entered, or which will otherwise have jurisdiction with respect to the act or activity described in the transaction; and a description of the transaction itself, appropriate in detail to the type of ruling requested.

(2) *Description of transaction*—(i) *Generally.* The Customs transaction to which the ruling request relates must be described in sufficient detail to permit the proper application of relevant Customs and related laws.

(ii) *Tariff classification rulings.* If the transaction involves the importation of an article for which a ruling as to its

proper classification under the provisions of the Tariff Schedules of the United States is requested, the request for a ruling should include, a full and complete description of the article and, whenever germane to the proper classification of the article, information as to the article's chief use in the United States, its commercial, common, or technical designation, and, where the article is composed of two or more materials, the relative quantity (by weight and by volume) and value of each. The ruling request should also note the purchase price of the article, and its approximate selling price in the United States.

(iii) *Valuation rulings.* If the transaction involves the valuation of an article for Customs purposes, the request for a ruling should include all of the information described in Subpart C of Part 152 of this chapter, and, insofar as practicable, the information which would be required on a Special Customs Invoice, as described in Subpart F of Part 141 of this chapter. The request should also describe the nature of the transaction (whether f.o.b./c.i.f., ex-factory, or some other arrangement), the relationship (if any) of the parties, whether the transaction was at arm's-length, whether there have been other sales of the same or similar merchandise in the country of exportation, whether an agency relationship exists, or any other information relevant to a determination under section 402 or 402a of the Tariff Act of 1930, as amended (19 U.S.C. 1401a, 1402).

(iv) *Carrier rulings.* If the transaction involves a vessel, the request for a ruling should include information relating to place of build and nationality of registration and, if to be used in waters under the jurisdiction of the United States, the exact place or places of intended use, if known. If the request for a ruling involves a determination as to whether or not the primary object of a contemplated voyage would be considered to be coastwise transportation in violation of 46 U.S.C. 289 (see § 4.80a of this chapter), the request should completely identify the voyage, including the proposed time of arrival at and departure from every port on the itinerary and any coordination of the voyage with special events at coastwise ports, and should be accompanied by samples, if available, of brochures, advertising, and other information that may be relevant to a determination of the primary object of the proposed voyage.

(3) *Samples.* Each request for a ruling regarding the status of an article under any Customs or related law affecting the importation or arrival of that article should be accompanied by photographs, drawings, or other pictorial representations of the article and, whenever possible, by a sample article, unless a precise description of the article is not essential to the ruling requested. Any article consisting of materials in chemical or physical combination for which a laboratory analysis has been prepared by or for the manufacturer should include a copy of that analysis. A sample submitted in connection with a request for a ruling becomes a part of the Customs Service file in the matter and will be retained until the ruling is issued or the ruling request is otherwise disposed of. If the return of the sample is desired, the ruling request should so state and should specify the desired means of return. A sample should only be submitted with the understanding that all or a part of it may be damaged or consumed in the course of examination, testing, analysis, or other actions undertaken in connection with the ruling request.

(4) *Related documents.* If the question or questions presented in the ruling request directly relate to matters set forth in any invoice, contract, agreement, or other document, a copy of the document must be submitted with the request. (Original documents should not be submitted inasmuch as any documents or exhibits furnished with the ruling request become a part of the Customs Service file in the matter and cannot be returned.) The relevant facts reflected in any documents submitted, and an explanation of their bearing on the question or questions presented, must be expressly set forth in the ruling request.

(5) *Prior or current transactions.* Each request for a ruling must state whether, to the knowledge of the person submitting the request, the same transaction, or one identical to it, has ever been considered, or is currently being considered by any Customs Service office or whether, to the knowledge of the person submitting the request, the issues involved have ever been considered, or are currently being considered, by the United States Customs Court, the United States Court of Customs and Patent Appeals, or any court of appeal therefrom. Where the transaction described in the ruling request is but one of a series of similar and related transactions, that fact must also be stated.

(6) *Statement of position.* If the request for a ruling asks that a particular determination or conclusion be reached in the ruling, a statement must be included in the request setting forth the basis for that determination or conclusion, together with a citation of all relevant supporting authority.

(c) *Signing; instructions as to reply.* The request for a ruling must be signed by a person authorized to make the request, as described in § 177.1(c). A ruling requested by a principal or authorized agent may direct that the ruling letter be addressed to the other.

(d) *Requests for immediate consideration.* The Headquarters Office will normally process requests for rulings in the order they are received and as expeditiously as possible. However, a request that a particular matter be given consideration ahead of its regular order, if made in writing at the time the request is submitted, or subsequent thereto, and showing a clear need for such treatment, will be given consideration as the particular circumstances warrant and permit. Requests for special consideration made by telegram will be treated in the same manner as requests made by letter, but rulings will not ordinarily be issued by telegram. In no event can any assurance be given that a particular request for a ruling will be acted upon by the time requested. However, upon request and where a clear need is shown for such action, a collect telephone call will be made to advise that the ruling has been issued and is being mailed.

§ 177.3 Nonconforming requests for rulings.

A person submitting a request for a ruling that does not comply with all of the provisions of this part will be so notified in writing, and the requirements that have not been met will be pointed out. Such person will be given a period of 30 days from the date of the notice (or such longer period as the notice may provide) to supply any additional information that is requested or to otherwise conform the ruling request to the requirements referred to in the notice. The Customs Service file with respect to ruling requests which are not brought into compliance with the provisions of this part within the period of time allowed will be administratively closed and the request removed from active consideration until such time as the deficiencies cited in the notice are corrected. A request for a ruling that is removed from active consideration by reason of failing to comply with the provisions of this part may be treated as withdrawn.

§ 177.4 Oral discussion of issues.

(a) *Generally.* A person submitting a request for a ruling and desiring an opportunity to orally discuss the issue or issues involved should indicate that desire in writing at the time the ruling request is filed. Such a discussion will only be scheduled when, in the opinion of the Headquarters Office personnel by whom the ruling request is under consideration, a conference will be helpful in deciding the issue or issues involved or when a determination or conclusion contrary to that advocated in the ruling request is contemplated. Conferences are scheduled for the purpose of affording the parties an opportunity to freely and openly discuss the matters set forth in the ruling request. Accordingly, the parties will not be bound by any argument or position advocated or agreed to, expressly or by implication, during the conference unless either party subsequently agrees to be so bound in writing. No ruling will be issued at the conclusion of the conference.

(b) *Time, place, and number of conferences.* If a request for a conference is granted, the person making the request will be notified of the time and place of the conference. Except under highly unusual circumstances, the conference will be held at the Headquarters Office of the United States Customs Service in Washington, D.C. No more than one conference with respect to the matters set forth in a ruling request will be scheduled unless, in the opinion of the Headquarters Office personnel by whom the

ruling request is under consideration, additional conferences are necessary.

(c) *Representation.* A person whose request for a conference has been granted may be accompanied at that conference by counsel or other representatives, or may designate such persons to attend the conference in his place.

(d) *Additional information presented at conferences.* It will be the responsibility of the person submitting the request for a ruling to provide for inclusion in the Customs Service file in the matter a written record setting forth any and all additional information, documents, and exhibits introduced during the conference to the extent that person considers such material relevant to the consideration of the ruling request by the Headquarters Office.

§ 177.5 Change in status of transaction.

Each person submitting a request for a ruling in connection with a Customs transaction shall immediately advise the Headquarters Office in writing of any change in the status of that transaction, as defined in § 177.1(d)(3). In particular, the Headquarters Office must be advised when any transaction described in the ruling request as prospective becomes current and under the jurisdiction of any Customs Service field office. In addition, any person engaged in a Customs transaction coming under the jurisdiction of a Customs Service field office and having previously requested a ruling with respect to that transaction shall advise the field office of that fact. The field office will normally withhold action with respect to any transaction for which a ruling has previously been requested pending the disposition of the ruling request by the Headquarters Office.

§ 177.6 Withdrawal of ruling requests.

Any request for a ruling may be withdrawn by the person submitting it at any time prior to the issuance of a ruling letter or any other final disposition of the request by the Headquarters Office. All correspondence, documents, and exhibits submitted in connection with the request will be retained in the Customs Service file and will not be returned. In addition, the Headquarters Office may forward to Customs Service field offices which have or may have jurisdiction over the transaction to which the ruling request relates, its views in regard to the transaction or the issues involved therein, as well as appropriate information derived from materials in the Customs Service file.

§ 177.7 Situations in which no ruling will be issued.

(a) *Generally.* No ruling will be issued in response to a request for a ruling which fails to comply with the provisions of this part. Moreover, no ruling will be issued with regard to transactions or questions which are essentially hypothetical in nature or in any instance in which it appears contrary to the sound administration of the Customs and related laws to do so. No ruling letter will be issued in regard to a completed transaction.

(b) *Pending litigation in the United States Customs Court.* No ruling will be issued with respect to any issue which is pending before the United States Customs Court, the United States Court of Customs and Patent Appeals, or any court of appeal therefrom. Litigation before any other court will not preclude the issuance of a ruling, provided neither the Customs Service nor any of its officers or agents is named as a defendant.

§ 177.8 Issuance of rulings.

(a) *Ruling letters*—(1) *Generally.* The Headquarters Office will endeavor to issue a ruling letter setting forth its determinations with respect to a specifically-described Customs transaction whenever a request for such a ruling is submitted in accordance with the provisions of this part and it is in the interest of the sound administration of the Customs and related laws to do so. Otherwise, a request for a ruling will be answered by an information letter or, in those situations in which general information is likely to be of little or no value, by a letter stating that no ruling can be issued.

(2) *Submission of ruling letters to field offices.* Any person engaging in a Customs transaction with respect to which a ruling has been issued by the Headquarters Office shall ascertain that a copy of the ruling letter is attached to the documents filed in connection with that transaction with the appropriate Customs Service field office. A copy of any ruling letter received after the filing of such documents shall be forwarded immediately to the appropriate Customs Service field office.

(3) *Disclosure of ruling letters.* The person to whom the ruling letter is addressed, or any other person having an interest in the transaction to which the ruling letter relates, shall have a period of fifteen (15) calendar days from the date of the ruling letter to notify the Headquarters Office, in writing, of any part of the ruling letter which is privileged or confidential in nature and exempt from disclosure by law. Such notification must clearly identify the part or parts claimed to be privileged or confidential and the reasons therefor, including the citation of the statutory authority under which exemption from disclosure is claimed. Any part or parts of the ruling letter which the Commissioner of Customs, pursuant to notification, determines to be privileged or confidential shall be treated as exempt from disclosure. Otherwise, copies of ruling letters issued by the Headquarters Office may be inspected and copied, upon request, at the Headquarters Office.

(b) *Other rulings.* The Headquarters Office may from time to time issue other rulings with respect to issues or transactions described or suggested by requests for rulings submitted under the provisions of this part, or with respect to issues or transactions otherwise brought to its attention. These rulings, which are statements of the official position of the Customs Service which are likely to be of widespread interest and application, are published in the Customs Bulletin, as described in § 177.10.

§ 177.9 Effect of ruling letters; modification or revocation.

(a) *Effect of ruling letters generally.* A ruling letter issued by the Headquarters Office under the provisions of this part represents the official position of the Customs Service with respect to the particular transaction or issue described therein and is binding on all Customs Service personnel in accordance with the provisions of this section until modified or revoked. In the absence of a subsequent change of practice or other modification or revocation which affects the principle of the ruling set forth in the ruling letter, that principle may be cited as authority in the dispositon of transactions involving the same circumstances.

(b) *Application of rulings to transactions*—(1) *Generally.* Each ruling letter is issued on the assumption that all of the information furnished in connection with the ruling request and incorporated in the ruling letter, either directly, by reference, or by implication, is accurate and complete in every material respect. The application of a ruling letter by a Customs Service field office to the transaction to which it is purported to relate is subject to the verification of the facts incorporated in the ruling letter, a comparison of the transaction described therein to the actual transaction, and the satisfaction of any conditions on which the ruling was based. If, in the opinion of any Customs Service field office by whom the transaction is under consideration or review, the ruling letter should be modified or revoked, the findings and recommendations of that office will be forwarded to the Headquarters Office for consideration prior to any final disposition with respect to the transaction by that office. Otherwise, if the transaction described in the ruling letter and the actual transaction are the same, and any and all conditions set forth in the ruling letter have been satisfied, the ruling will be applied to the transaction.

(2) *Tariff classification rulings.* Each ruling letter setting forth the proper classification of an article under the provisions of the Tariff Schedules of the United States will be applied only with respect to transactions involving articles identical to the sample submitted with the ruling request or to articles whose description is identical to the description set forth in the ruling letter.

(3) *Valuation rulings.* Each ruling letter setting forth the proper valuation of an article under the provisions of section 402 or 402a of the Tariff Act of 1930, as amended (19 U.S.C. 1401a, 1402), will be applied only with respect to transactions involving the same merchandise and like facts.

(4) *Carrier rulings.* Each ruling letter setting forth the applicability of the navigation laws to a vessel will be applied only with respect to transactions

involving operations identical to those set forth in the ruling letter. Each ruling letter setting forth a determination as to whether or not the primary object of a contemplated voyage is coastwise transportation in violation of 46 U.S.C. 289 will be binding on the United States Customs Service with respect to any transaction identical to the facts and circumstances described in the ruling request and undertaken in reliance on the ruling letter.

(c) *Reliance on ruling letters by others.* A ruling letter is subject to modification or revocation without notice to any person, except the person to whom the letter was addressed. Accordingly, no other person should rely on the ruling letter or assume that the principles of that ruling will be applied in connection with any transaction other than the one described in the letter. However, any person eligible to request a ruling under section 177.1(c) may request information as to whether a previously-issued ruling letter has been modified or revoked by writing the Commissioner of Customs, Attention: Office of Regulations and Rulings, Washington, D.C. 20229, and either enclosing a copy of the ruling letter or furnishing other information sufficient to permit the ruling letter in question to be identified.

(d) *Modification or revocation of ruling letters*—(1) *Generally.* Any ruling found to be in error or not in accordance with the current views of the Customs Service may be modified or revoked. Modification or revocation of a ruling letter shall be effected by giving notice to the person to whom the ruling letter was addressed and, where circumstances warrant, by the publication of a notice or other statement in the Customs Bulletin.

(2) *Effect of modification or revocation of ruling letters.* The modification or revocation of a ruling will not be applied retroactively with respect to the person to whom the ruling was issued, or to any person directly involved in the transaction to which that ruling related, provided (i) The request for a ruling contained no misstatement or omission of material facts,

(ii) The facts subsequently developed are not materially different from the facts on which the ruling was based,

(iii) There has been no change in the applicable law,

(iv) The ruling was originally issued with respect to a prospective transaction, and

(v) All of the parties involved in the transaction acted in good faith in reliance upon the ruling and retroactive modification or revocation would be to their detriment.

Nothing in this subparagraph will prohibit the retroactive modification or revocation of a ruling with respect to a transaction which was not prospective at the time the ruling was issued, inasmuch as such a transaction was not entered into in reliance on a ruling from the Headquarters Office.

§ 177.10 Publication of rulings.

(a) *Generally.* Whenever it is determined that a ruling with regard to the issues involved in a particular transaction or with regard to any other matter brought to the attention of the Headquarters Office, will affect a substantial volume of imports or transactions or is otherwise of general interest or importance, the ruling will be published in the Customs Bulletin.

(b) *Rulings regarding a rate of duty or charge.* Any ruling regarding a rate of duty or charge and published in the Customs Bulletin will be deemed to create an established and uniform practice within the meaning of section 315(d) of the Tariff Act of 1930, as amended (19 U.S.C. 1315(d)). A published ruling may result in a change of practice, it may limit the application of a court decision, it may otherwise modify an earlier ruling with respect to the classification or valuation of an article or any other action found to be in error or no longer in accordance with the current views of the Customs Service, or it may revoke a previously-published ruling or a previously-issued ruling letter. No ruling published under the provisions of this section will have the effect of changing either an earlier published ruling or a practice established by other means by imposing a higher rate of duty on an article unless the earlier ruling or practice has been determined to be clearly wrong.

(c) *Changes of practice or position.* (1) Before the publication of a ruling which has the effect of changing a practice and which results in the assessment of a higher rate of duty, notice that the practice (or prior ruling on which the practice is based) is under review will be published in the FEDERAL REGISTER and interested parties given an opportunity to make written submissions with respect to the correctness of the contemplated change. This procedure will also be followed when the contemplated change of practice will result in the assessment of a lower rate of duty and the Headquarters Office determines that the matter is of sufficient importance to involve the interests of domestic industry. No advance notice will be provided with respect to rulings which result in a change of practice but no change in the rate of duty.

(2) Before the publication of a ruling which has the effect of changing a position of the Customs Service and which results in a restriction or prohibition, notice that the position (or prior ruling on which the position is based) is under review will be published in the Federal Register and interested parties given an opportunity to make written submissions with respect to the correctness of the contemplated change. This procedure will also be followed when the change of position will result in a holding that an activity is not restricted or prohibited and the Headquarters Office determines that the matter is of sufficient importance to involve the interests of the general public.

(d) *Limiting rulings.* A published ruling may limit the application of a court decision to the specific article under litigation, or to an article of a specific class or kind of such merchandise, or to the particular circumstances which were the subject of the litigation.

(e) *Effective dates.* Except as otherwise provided for in the ruling itself, all rulings published under the provisions of this part shall be applied immediately. If the ruling involves merchandise, it will be applicable to all unliquidated entries, except that a change of practice resulting in the assessment of a higher rate of duty or increased duties shall be effective only as to merchandise entered for consumption or withdrawn from warehouse for consumption on or after the 90th day after publication of the change in the Customs Bulletin.

§ 177.11 Requests for advice by field offices.

(a) *Generally.* Advice or guidance as to the interpretation or proper application of the Customs and related laws with respect to a specific Customs transaction may be requested by Customs Service field offices from the Headquarters Office at any time, whether the transaction is prospective, current, or completed. Advice as to the proper application of the Customs and related laws to a current transaction will be sought by a Customs Service field office whenever that office is requested to do so, pursuant to paragraph (b) of this section, by an importer or other person having an interest in the transaction. Advice or guidance will be furnished by the Headquarters Office as a means of assisting Customs personnel in the orderly processing of Customs transactions under consideration by them and to insure the consistent application of the Customs and related laws in the several Customs districts. Requests for advice received by the Headquarters Office will be processed as expeditiously as possible.

(b) *Certain current transactions*—(1) *When a ruling has been issued*—(i) *Requests by field offices.* If the Headquarters Office has issued a ruling letter with respect to a particular Customs transaction and the Customs Service field office having jurisdiction over that transaction feels that the ruling should be modified or revoked, the field office will forward to the Headquarters Office, pursuant to § 177.9(b)(1), a request that the ruling be reconsidered. The field office will notify the importer or other person to whom the ruling letter was issued, in writing, that it has requested the Headquarters Office to reconsider the ruling.

(ii) *Requests by importers and others.* If the importer or other person to whom a ruling letter is issued disagrees with the Customs Service field office having jurisdiction over the transaction to which the ruling relates as to the proper application of the ruling to the transaction, the field office will, upon receipt

of a written request submitted in accordance with the procedure set forth in subparagraph (3) of this paragraph, request advice from the Headquarters Office as to the proper application of the ruling to the transaction.

(2) *When no rulinig has been issued.* Internal advice will be sought by a Customs Service field office with respect to a current transaction for which no ruling was requested or issued under the provisions of this part whenever a difference of opinion exists as to the interpretation or proper application of the Customs and related laws to the transaction, and the field office is requested to seek such advice by an importer or other person who would have been entitled, under § 177.1(c), to request a ruling with respect to the transaction, while prospective. The request must be submitted to the field office in writing and in accordance with the provisions of subparagraph (3) of this paragraph.

(3) *Form of request by importers and others.* An importer or other person requesting that a Customs Service field office seek advice from the Headquarters Office must make such a request, in writing, to the field office having jurisdiction over the transaction in question. The request shall contain a complete statment setting forth a description of the transaction, the specific questions presented, the applicable law, and an argument for the conclusions advocated. The statement must also specify whether, to the knowledge of the person submitting the statement, the same transaction, or one identical to it, has ever been considered, or is currently being considered, by any Customs Service office. In addition, the statement should indicate at which port or ports of entry identical or substantially idenical merchandise has been entered.

(4) *Review of requests by importers and others. All requests submitted by im- and others.* All requests submitted by importers and other persons under subparagraph (3) of this paragraph, will be reviewed by the field office to which they are submitted. In the event a difference of opinion exists as to the description of the transaction or as to the point or points at issue, the person submitting the request will be so advised in writing. If agreement cannot be reached, both the statements of the person submitting the request and the field office will be forwarded to the Headquarters Office for consideration.

(5) *Refusal by Headquarters Office to furnish advice.* The Headquarters Office may refuse to consider the questions presented to it in the form of a request for internal advice whenever (i) the Headquarters Office determines that the period of time necessary to give adequate consideration to the questions presented would result in a withholding of action with respect to the transaction, or in any other situation, that is inconsistent with the sound administration of the Customs and related laws, and (ii) the questions presented can subsequently be raised by the importer or other interested party in the form of a protest filed in accordance with the provisions of Part 174 of this chapter.

(6) *Effect of advice received from the Headquarters Office.* Advice furnished by the Headquarters Office in response to a request therefor represents the official position of the Customs Service as to the application of the Customs laws to the facts of a specific transaction. If the field office believes that the advice furnished by the Headquarters Office should be reconsidered, it shall promptly request such reconsideration. Otherwise, the advice furnished by the Headquarters Office will be applied by the field office in its disposition of the Customs transaction in question.

(7) *Publication.* Whenever advice issued by the Headquarters Office is likely to affect a substantial volume of imports or transactions or is otherwise of general interest or importance, such advice will be published in the form of a ruling in the Customs Bulletin, as described in § 177.10.

Data, views, or arguments with respect to the foregoing proposals may be addressed to the Commisisoner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To insure consideration of such communications, they must be received not later than March 14, 1975.

Written material or suggestions submitted will be available for public inspection in accordance with section 103.8 (b) of the Customs Regulations (19 CFR 103.8(b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: December 1, 1974.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-1079 Filed 1-10-75;8:45 am]

DEPARTMENT OF STATE

Agency for International Development

[22 CFR Part 212]

FREEDOM OF INFORMATION FEES

Notice of Proposed Rule Making

The Agency for International Development (A.I.D.) is considering an amendment to Part 12 of the A.I.D. Regulations that would revise the schedule of fees under the Freedom of Information Act, as amended (5 United States Code section 552).

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant General Counsel for Management and Administration; Agency for International Development, Washington, D.C. 20523. All communications received on or before February 10, 1975, will be considered before action is taken on the proposed amendment. No public hearing will be held. The proposal contained in this notice may be changed in the light of the comments received.

Comments received will be available for examination in the public reading room, Room 4943, Department of State Building, 21st and Virginia Ave., NW., Washington, D.C.

The present schedule of fees for services performed in response to requests for records under the Freedom of Information Act is at § 212.35 of part 212 of Title 22 of the Code of Federal Regulations for the Agency for International Development. The proposed schedule of fees will apply to any request for records under the Freedom of Information Act to the Agency for International Development and its bureaus, offices, and missions wherever located.

Section 212.35 of Title 22 of the Code of Federal Regulations is proposed to be revised to read as follows:

§ 212.35 Schedule of fees and method of payment for services rendered.

(a) The following specific fees shall be applicable with respect to services rendered to members of the public under this part:

(1) Searching for records, per hour, after first hour, $9.00.

(2) Copies made by photostat or otherwise (per page), $.10. (Maximum of 2 copies will be provided.)

(3) Duplication of architectural photographs and drawings, $2.00.

(b) When no specific fee has been established for a service, for example, when the search involves computer time or special travel, transportation, or communications costs, the Director, Office of Public Affairs is authorized to determine the direct costs of the service and include such costs in the fees chargeable under this section.

(c) Where it is anticipated that the fees chargeable under this section will amount to more than $25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. In appropriate cases an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the requester to confer with knowledgeable Agency personnel in an attempt to reformulate the request in a manner which will reduce the fees and meet the needs of the requester. Dispatch of such a notice or request shall suspend the running of the period for response by the Agency until a reply is received from the requester.

(d) Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts or if the Agency determines that a record which has been requested but which is exempt from disclosure under this part is to be withheld.

(e) Fees must be paid in full prior to issuance of requested copies.

(f) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittances shall be made payable to the order of the Treasurer of the United States and mailed to the Director, Freedom of Information Staff, Office of Public Affairs, Agency for International Development, Washington, D.C. 20523. The Agency will assume no responsibility for cash which is lost in the mail.

(g) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

(h) The Director, Office of Public Affairs, or an officer designated by the Director may waive all or part of any fee provided for in this section when the Director or the designated officer deems it to be in either the Agency's interest or in the general public's interest.

WILLIAM L. PARKS,
Acting Assistant Administrator Bureau of Program and Management Services.

JANUARY 9, 1975.

[FR Doc.75-1209 Filed 1-10-75;9:25 am]

Office of the Secretary

[22 CFR Part 6]

[Docket No. SD-110]

FREEDOM OF INFORMATION FEES

Notice of Proposed Rule Making

The Department of State is considering an amendment to Part 6 of Chapter I of the Code of Federal Regulations that would revise regulations concerning the schedule of fees and method of payment for services rendered under the Freedom of Information Act, as amended (5 U.S.C. 552).

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Legal Adviser for Management, Room 5423, Department of State, Washington, D.C. 20520. All communications received on or before February 12, 1975, will be considered before action is taken on the proposed amendment. No public hearing will be held. The proposal contained in this notice may be changed in the light of the comments received.

Comments received will be available for examination in the public reading room of the Department of State, 2201 C Street, NW., Washington, D.C.

The present schedule of fees for services performed in response to requests for records under the Freedom of Information Act is at § 6.8 of Part 6, Title 22, of the Code of Federal Regulations for the Department of State. The proposed schedule of fees will apply to any request for records under the Freedom of Information Act to the Department of State and its bureaus, offices, posts and agencies, wherever located.

Section 6.8 of Title 22 of the Code of Federal Regulations is proposed to be revised to read as follows:

§ 6.8 Schedule of fees and method of payment for services rendered.

(a) The following specific fees shall be applicable with respect to services rendered to members of the public under this part:

(1) Searching for records, per hour or fraction thereof	$5.00
(2) Other facilitative services and index assistance — minimum charge, per hour or fraction thereof	5.00
(3) Copies made by photostat or otherwise (per page) (maximum of 5 copies will be provided)	.10
(4) Certification of each record as a true copy	1.00
(5) Certification of each record as a true copy, under official seal	1.50
(6) For each signed statement of negative result of search for record	1.00
(7) For each signed statement of nonavailability of record—no fee	
(8) Duplication of architectural photographs and drawings	2.00

(b) If records requested under this part are stored elsewhere than the headquarters of the Department of State at 2201 C Street, NW., Washington, D.C., the special costs of returning such records to the headquarters for review will be added to the search costs. Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts have been made, or if the Department determines that a record which has been requested, but which is exempt from disclosure under this part, is to be withheld.

(c) Where it is anticipated that the fees chargeable under this section will amount to more than $25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. In appropriate cases, an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the requester to confer with knowledgeable Departmental personnel in an attempt to reformulate the request in a manner which will reduce the fees and meet the needs of the requester. Dispatch of such a notice or request shall suspend th running of the period for response by the Department until a reply is received from the requester.

(d) The Assistant Secretary of State for Public Affairs, or an officer designated by the Assistant Secretary, may waive all or part of any fee provided for in this section when the Assistant Secretary or the designated officer considers it appropriate to do so.

(e) Fees for services performed other than under this part, as described in § 6.2(b), will be charged in accordance with Parts 21 and 22 of this chapter.

(f) When no specific fee has been established for a service, or the request for a service does not fall under one of the above categories due to the amount or size or type thereof, the Assistant Secretary for Public Affairs is authorized to establish an appropriate fee, pursuant to the criteria established in Bureau of Budget Circular No. A-25, entitled "User Charges."

(g) Fees must be paid in full prior to issuance of requested copies.

(h) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittances shall be made payable to the order of the Treasurer of the United States and mailed to the Director, Freedom of Information Staff, Bureau of Public Affairs, Department of State, Washington, D.C. 20520. The Department will assume no responsibility for cash which is lost in the mail.

(i) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

(j) Notwithstanding the foregoing, materials may be furnished without charge to foreign governments, other governmental agencies or units, nonprofit educational organizations, or any other applicant whenever the Assistant Secretary for Public Affairs determines that such action would further the performance of the functions of the Department of State.

This revision is proposed under the authority of 5 U.S.C. 552 as amended by Public Law 93-502.

For the Secretary of State.

[SEAL] L. DEAN BROWN,
Deputy Under Secretary for Management.

JANUARY 7, 1975.

[FR Doc.75-994 Filed 1-8-75;12:28 pm]

DEPARTMENT OF JUSTICE

Office of the Attorney General

[28 CFR Part 16]

[Order No. 588-75]

FEES FOR PRODUCTION OR DISCLOSURE OF INFORMATION

Notice of Proposed Rulemaking

The Department of Justice is considering amendments to the fee regulations for requests made under the Freedom of Information Act, contained in 28 CFR 16.9. These regulations will apply to the entire Justice Department. The Immigration and Naturalization Service, which has separate regulations regarding requests for information, will include in its own regulations the Justice Department fee regulations for Freedom of Information Act requests. Other fees charged by the Immigration and Naturalization Service will continue to be separately covered in their regulations.

The present Justice Department fee regulations were promulgated under the user fee statute, 31 U.S.C. 483a, which contemplates that services provided by

the government be self-sustaining. Section 1(b)(2) of Pub. L. 93-502, 88 Stat. 1561, amends the Freedom of Information Act (5 U.S.C. 552) to provide for recovery of only direct costs of search and duplication, by means of reasonable standard charges.

The Department's proposed changes eliminate charges for monitoring inspections by a requester, eliminate charges for time spent in deleting exempt material, and revise charges for search and duplication to reflect direct costs only. The proposed clerical search charges approximately reflect the salary of a GS-3, step 5 employee. The proposed fees for non-clerical searches approximately reflect the salary of a GS-11, step 5 employee. These levels of personnel are considered to be the average levels which will be utilized. In the proposed rules the fees for computer costs, presently described in general terms only, are specified by dollar amounts for the specific services provided, reflecting the cost to the Department of such services. In anticipation of possible requests for audio material, charges are proposed for copies of recordings. Also, a paragraph is added to allow a charge for unanticipated types of services or material provided in response to requests.

In order to protect the public from incurring unexpected costs, the proposed rules provide that where fees in excess of $25 are anticipated, and the requester has not indicated his willingness to accept these costs, the request will not be deemed received until the requester is notified of the anticipated costs and agrees to bear them. Such notification will be given as quickly as possible, and in any event a notification giving the best estimate then available shall be transmitted within 5 working days.

The present regulations provide that an advance deposit may be required in appropriate cases. The proposed regulations make this provision more specific by authorizing an advance deposit whenever the fees exceed $25 or the requester has failed to pay a fee previously imposed under this section.

A few changes of a technical nature are also included in the proposed rules. Fees for attestation and certification services, which are not services required pursuant to the Freedom of Information Act, are nevertheless retained in this section for the convenience of the public. Fees for such services are based upon the user fee statute.

Interested persons may participate in the proposed rulemaking by submitting written comments to the Office of Legal Counsel, Department of Justice, Room 5214, Washington, D.C. 20530, no later than February 12, 1975. Arrangements to inspect copies of the written comments may be made by calling the Office of Robert Saloschin, Chairman, Freedom of Information Committee, Department of Justice, at (202) 739-2069. No hearing is contemplated.

Therefore, pursuant to the authority vested in the Attorney General by 5 U.S.C. 301 and 5 U.S.C. 552 as amended by Pub. L. 93-502, 88 Stat. 1561, it is proposed to amend Part 16 of Title 28 of the Code of Federal Regulations by amending § 16.9 as set forth below.

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

§ 16.9 [Amended]

1. By revising the first sentence in paragraph (a) to read as follows:

(a) *When charged.* Fees pursuant to 31 U.S.C. 483a and 5 U.S.C. 552 shall be charged according to the schedules contained in paragraph (b) of this section for services rendered in responding to requests for Justice Department records under this subpart unless the official of the Department making the initial or appeal decision determines that such charges, or a portion thereof, are not in the public interest. * * *

2. By substituting "$1.00" for "$1.25" in paragraph (b)(2).

3. By revoking and reserving paragraph (b)(3).

4. By substituting "$2.00" for "$3.75" in paragraph (b)(6).

5. By deleting the word "ordinarily" in the second sentence of paragraph (b)(7).

6. By deleting the third and fourth sentences of paragraph (b)(7).

7. By amending and revising paragraph (b)(8) to read as follows:

(8) *Computerized Records.*

(i) *Computer time charges (includes personnel cost).*

1. Central processor charge per hour	$188.00
2. Main storage charge per 1,000 bytes per hour	.50
3. Channel charges per hour	.74
4. Card reading per 1,000 cards	.20
5. Printing per 1,000 lines	.43
6. Card punching per 1,000 cards	10.76
7. Tape mount	.50
8. Specific device charges:	
a. IBM 2260 Cathode ray tube or equivalent per hour	4.20
b. IBM 3330 Disk storage or equivalent per hour	39.72
c. IBM 2314 Disk storage or equivalent per hour	39.72
d. IBM 3420 Tape Drive or equivalent per hour	44.59

(ii) *Material charges.*

1. One-part paper per 1,000	$11.00
2. Two-part paper per 1,000	17.63
3. Three-part paper per 1,000	28.95
4. Four-part paper per 1,000	37.52
5. Five-part paper per 1,000	50.83
6. Stock Hollerith cards per 1,000	1.78
7. Magnetic tape per reel	9.50
8. Disk pack, each	775.00

8. By inserting after paragraph (b)(8), two new paragraphs (b)(9) and (b)(10) as follows:

(9) *Tape recordings and other audio records.*

(i) *Personnel charges.* Personnel charges in connection with the duplication of audio records shall be charged in accordance with paragraph (b)(2) or (b)(6) of this section, whichever is appropriate.

(ii) *Material charges.*

1. 45 minute cassette	$0.56
2. 60 minute cassette	.60
3. 90 minute cassette	.77

(10) *Other charges.* When a response to a request requires services or materials other than the common ones described in paragraphs (b)(1) through (b)(9) of this section, the direct cost of such services or materials to the government may be charged, but only if the requester has been notified of such cost before it is incurred.

9. By amending and revising paragraph (c) to read as follows:

(c) *Notice of anticipated fees in excess of $25.* Where it is anticipated that the fees chargeable under this section will amount to more than $25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. In such cases, a request will not be deemed to have been received until the requester is notified of the anticipated cost and agrees to bear it. Such a notification shall be transmitted as soon as possible, but in any event within five working days, giving the best estimate then available. The notification shall offer the requester the opportunity to confer with Department personnel with the object of reformulating the request so as to meet his needs at lower cost.

10. By deleting the word "Treasury" in paragraph (d) and inserting in its place the word "Treasurer".

11. By inserting after paragraph (d) a new paragraph (e) as follows:

(e) *Advance deposit.*

(i) Where the anticipated fee chargeable under this section exceeds $25, an advance deposit of 25% of the anticipated fee or $25, whichever is greater, may be required.

(ii) Where a requester has previously failed to pay a fee under this section, an advance deposit of the full amount of the anticipated fee may be required.

12. By adding a new paragraph (f) as follows:

(f) *Other services.* Nothing in this section shall be construed to entitle any person, as of right, to any services or materials to which such person is not entitled under 5 U.S.C. 552.

Dated: January 8, 1975.

LAURENCE H. SILBERMAN,
Acting Attorney General.

[FR Doc.75-1065 Filed 1-10-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 21]

CAPTIVE-REARED MIGRATORY WATERFOWL

Extension of Comment Period

In FR Doc. 74-24314 appearing on pages 37199 through 37204, in the issue of October 18, 1974, notice was given that written comments on the proposed marking regulations received on or before December 17, 1974, would be considered.

Upon consideration, notice is hereby given that the comment period is extended. All relevant comments received on or before February 22, 1975, will be considered in the formulation of the final regulations concerning permanent marking for the identification of captive-reared migratory waterfowl.

Dated: January 8, 1975.

LYNN A. GREENWALT,
Director,
Fish and Wildlife Service.

[FR Doc.75-1014 Filed 1-10-75;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[46 CFR Part 283]

CONSERVATIVE DIVIDEND POLICY

Amended Notice of Proposed Rulemaking

In FR Doc. 74-29337, appearing in the FEDERAL REGISTER on December 17, 1974 (39 FR 43634) notice was given of a proposal to amend Part 283 of Title 46 of the Code of Federal Regulations so as to require that financing lease transactions be taken into account in establishing an operator's dividend policy under 46 CFR Part 283.

Said notice invited interested parties to submit comments, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20230, on or before January 14, 1975. The date of January 14, 1975 is hereby extended to close of business on January 28, 1975.

(See FR Doc. 74-29337 (39 FR 43634))

By Order of the Maritime Subsidy Board.

Dated: January 7, 1975.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-1064 Filed 1-10-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 49]

[Docket No. 14236; Notice 75-1]

NOTICE OF LIEN

Proposed Recording Requirements

The Federal Aviation Administration is considering amending Part 49 of the Federal Aviation Regulations to specifically prescribe the requirements for recording a notice of lien with the FAA Aircraft Registry.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before February 28, 1975, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Under section 503(a)(1) of the Federal Aviation Act of 1958, the Federal Aviation Administration has established and maintains a system for recording any conveyance which affects title to, or any interest in, any civil aircraft of the United States. Section 101(17) of the Act defines a conveyance to include any "instrument affecting title to, or interest in, property." The FAA considers a notice of lien to be such an instrument, and has so indicated in § 49.31(a). Accordingly, the FAA Aircraft Registry (hereafter "Registry") accepts notices of liens for recording under Part 49. However, Part 49 does not currently prescribe specific procedures for filing and releasing notices of liens, procedures which the FAA considers to be appropriate for inclusion in the regulations.

The present lack of specificity in Part 49 has resulted in a number of public inquiries, as well as an inconvenience for persons filing notices of liens for recording, and has caused an unwarranted workload for the Registry. In order to avoid clouding the records and aircraft files with unsupportable claims of liens, the Registry has occasionally requested the lien claimant to submit a copy of the law of the jurisdiction under which the lien is claimed, and show that the requirements thereof have been complied with.

Accordingly, it is now proposed to add a new paragraph to require that before notices of liens asserted under the law of a State, possession, Puerto Rico, or the District of Columbia can be recorded, they must contain a reference to the law of the jurisdiction under which the lien is asserted and is to be enforced, and a showing of compliance with applicable local law. It must be noted that the proposed amendments would not affect the validity of a lien that, under applicable local law, is valid without an instrument creating or evidencing it, and § 49.17(c) would be amended accordingly.

To ensure that each notice of lien is recorded against the proper aircraft, the proposed amendments would also require that the holder of the Certificate of Registration of the aircraft be given a copy of the notice of lien and a statement that it has been submitted to the Registry for recording. The proposed amendments would also require release of the notice filed with the FAA upon satisfaction of the lien.

These amendments are proposed under sections 313(a) and 503(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1403(a)), section 6(c), of the Department of Transportation Act (49 U.S.C. 1655(c)), and § 1.47(a) of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.47(a)).

In consideration of the foregoing, it is proposed to amend § 49.17 of the Federal Aviation Regulations by adding a sentence at the end of paragraph (c) and by adding a new paragraph (f) immediately following paragraph (e), to read as follows:

§ 49.17 Conveyances recorded.

* * * * *

(c) * * * Furthermore, the requirements of paragraph (f) of this section do not affect the validity of a lien that, under applicable local law, is valid without an instrument creating or evidencing it.

* * * * *

(f) The following rules apply to notices of liens claimed with respect to aircraft:

(1) A notice of lien must contain or be accompanied by the following information:

(i) A reference to the law of the State, possession, Puerto Rico, or the District of Columbia, under which the lien is asserted and is to be enforced, and an indication of whether under local law, possession of the aircraft is necessary for retention of the lien.

(ii) A statement that in addition to compliance with the requirements of (i) above, the lien claimant has complied with any time limitation on filing, and specifying the date on which labor, service, or material was last furnished; and

(iii) A statement that the lien claimant is in possession of the aircraft, if possession is necessary for retention of the lien under applicable law; and

(iv) A statement that a copy of the notice of lien, with a statement that it has been submitted to the FAA Aircraft Registry for recording, has been sent to the current holder of the Certificate of Registration of the aircraft.

(2) The notice of lien must be signed by, or on behalf of, the lien claimant in accordance with § 49.13 of this chapter.

(3) Immediately after a debt secured by a lien, notice of which has been filed with the FAA Aircraft Registry, has been satisfied or the lien extinguished, the lien claimant shall execute a release and submit it to the FAA Aircraft Registry for recording.

Issued in Oklahoma City, Oklahoma, on January 3, 1975.

THOMAS J. CRESWELL,
Director, Aeronautical Center.

[FR Doc.75-822 Filed 1-10-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-SO-121]

DESIGNATION OF TRANSITION AREA

Notice of Proposed Rule Making

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Greenville, Ala., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before February 12, 1975, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Greenville transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Greenville Municipal Airport (latitude 31°50'44" N., longitude 86°36'38" W.); within 3 miles each side of the 148° bearing from Persimmon RBN (latitude 31°51'03" N., longitude 86°36'52" W.), extending from the 6.5-mile radius area to 8.5 miles southeast of the RBN.

The proposed designation is required to provide controlled airspace protection for IFR operations at Greenville Municipal Airport. A prescribed instrument approach procedure to this airport, utilizing the Persimmon (private) nondirectional radio beacon, is proposed in conjunction with the designation of this transition area.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, on January 6, 1975.

DUANE W. FREER,
Acting Director,
Southern Region.

[FR Doc.75-975 Filed 1-10-75;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[14 CFR Part 401]

PUBLIC AVAILABILITY OF INFORMATION

Proposed Fee Schedule

This constitutes notice of an appendix to the proposed revised 14 CFR 401, Public Availability of Information, in the form of the attached fee schedule. Written comments may be submitted to the Office of General Counsel, National Transportation Safety Board, Washington, D.C. 20591, on or before February 13, 1975. The authority and requirement for issuance of this fee schedule appear in section (a)(4)(A) of the Freedom of Information Act (as amended by Public Law 93-502).

This fee schedule reflects the current fee-charging practice for duplication of documents published by or available from the Board. The Board is currently required to publish or give public access to its investigation, determination, study, decision, recommendations and functions by both the Department of Transportation Act (49 U.S.C. 1654) and the Freedom of Information Act (5 U.S.C. 552). The fees chargeable for special services relating to documents conform to the recoupment provisions of 31 U.S.C. 483a. They are based on actual costs of the services provided by the Board or the National Technical Information Service of the Department of Commerce. All other reproduction or search fees are based on the minimum direct costs of labor for search and duplication or the charges fixed in the contract with the commercial reproducer. Many collectible fees have been waived or reduced in the public interest, as authorized by section (a)(4)(A) of the Freedom of Information Act. There is no alternative to fees for services or contract reproduction where the Board does not possess a printing or photographic reproduction capability. It is essential, however, that where it is required, tender of the fixed fees be made together with the request for the material and an agreement to pay the commercial costs of reproduction. The main purpose of the fee schedule is to provide the public with a guide to costs involved (if any) when request is made for access to and/or reproduction of Board documents. Since the number of photos and document pages differs with each factual accident file, commercial reproduction costs will vary greatly with each file. If an estimate of cost is desired, contact should be made with the Board's Accident Inquiry Unit where central records are maintained. All requests should be directed to the Accident Inquiry Unit, Office of the General Manager, National Transportation Safety Board, Washington, D.C. 20591. Field offices do not store records.

This appendix fee schedule and proposed revised 14 CFR 401, to which it will be attached, will be effective February 19, 1975.

Accordingly, the National Transportation Safety Board hereby promulgates its fee schedule as an appendix to proposed revised 14 CFR Part 401 as follows:

FEE SCHEDULE

1. *Special Services Fees* (pursuant to 31 U.S.C. 483a). Upon request, services relating to public documents are available at the following fees:

(a) Subscriptions (calendar year).

(1) Initial decisions of the Administrative Law Judges—$40.00.

(2) Board safety enforcement opinions and orders—$20.00.

(3) Board aircraft accident (probable cause) reports, brief format—$40.00 (U.S.) and $50.00 (foreign).

(4) Aircraft accident reports, narrative—$27.50 (U.S.) and $34.50 (foreign).

(5) Surface accident reports, narrative—$27.50 (U.S.) and $34.50 (foreign).

NOTE: Subscription orders for (a)(3), (4) and (5) above, should be forwarded to the National Technical Information Service, P.O. Box 1551, Springfield, Virginia 22151.

(b) Document certification under the Board's seal—$4.00.

(c) Computer tapes and services for aviation accidents

Duplication of computer tapes (or a fraction thereof)—$40.00.

NOTE: Computer tape requests should be addressed to the Chief, Information Systems Branch, Bureau of Aviation Safety, National Transportation Safety Board, Washington, D.C. 20591.

(d) The basic fees set forth provide for ordinary first-class postage prepaid. If registered, certified, air, or special delivery mail is used, postal fees therefor will be added to the basic fee. Also, if special handling or packaging is required, such costs will be added to the basic fee.

(e) Subscription fees for (b) above are waived for qualifying foreign countries, international organizations, nonprofit public safety entities, State and Federal transportation agencies, and colleges and universities, after approval by the Board's General Manager.

2. *Commercial Reproduction Fees and Search Fees.* Pursuant to 5 U.S.C. 552, as amended, reproduction of the documents listed below is accomplished by commercial contract, and the reproductions are mailed from the contractor together with a billing for the costs. Requests must be forwarded to the Accident Inquiry Unit, National Transportation Safety Board, Washington, D.C. 20591, together with an agreement to pay the reproduction costs. The search fee (if required) must be enclosed. Fees are subject to change depending upon the Board's annual contract award.

Current fees are:

(a) Photocopy

Size:	*Per page*
8½" x 11"	$0.12
8½" x 14"	0.24
10" x 14"	0.30
14" x 18"	0.60
18" x 24"	0.90

(b) Photographic prints

Size:	*Unit price*
8" x 10" black/white	$1.05
5" x 7" color	3.25
8" x 10" color	6.50
2" x 2" color slide	1.50
2" x 2" black/white slide	1.25
4" x 10" X-ray	6.50

(c) *Minimum charge for reproduction*—$4.00

(d) *Special expedite service*—80 percent surcharge for 24-hour service and 50 percent surcharge for 48-hour service.

(e) *Document search fee*—The Board has determined that it is in the public interest to limit search fees to documents which require commercial reproduction. Further, the fee has been reduced to the labor cost for a minimum time-search. Therefore, a $4.00 search fee is required only for:

(1) Factual accident investigation reports, statements, photographs, and other material contained in the Board's accident investigation files.

(2) Accident investigation information not in the Board's public files.

NOTE: The $4.00 search fee will be included in the commercial reproduction firm's invoice.

(f) *Documents requiring commercial reproduction for copies.* (1) Transcripts of public hearings.

(2) Factual accident investigation reports and information (see (e) (1) and (2) above).

3. *Reproduction fees for the public reading room.* All documents in the Board's public files may be examined, without charge, in the Board's public reading room, located in the Accident Inquiry Unit. There is a self-service duplicator in the reading room, which is available to the public for reproduction at a nominal cost.

4. *Documents available without commercial reproduction cost until limited supplies are exhausted.* (1) Press releases.

(2) Aviation accident reports, narrative, and brief format probable cause reports (on request for specific accidents).

(3) Surface accident reports.

(4) Special studies.

(5) Safety Board regulations (14 CFR 400 through 440).

(6) Indices to initial decisions, Board opinions and orders, and staff manuals and instructions.

(7) Statistical data published by the Board.

(8) Safety recommendations.

5. *Documents for sale by the Government Printing Office.* (1) Board's annual report.

(2) Volume I, National Transportation Safety Board Decisions (1967–1972).

Effective Date: Effective February 19, 1975, as an appendix to 14 CFR 401.

JOHN H. REED,
Chairman.

JANUARY 9, 1975.

[FR Doc.75-1183 Filed 1-10-75;8:45 am]

AMERICAN BATTLE MONUMENTS COMMISSION

[36 CFR Part 404]

PROCEDURES AND GUIDELINES FOR COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT

Proposed Rule Making

The American Battle Monuments Commission is planning to issue a new Part 404 to 36 CFR Chapter IV to comply with the requirements of the Freedom of Information Act as amended on November 21, 1974 (5 U.S.C. 552). The Act requires that agencies publish in the FEDERAL REGISTER their rules of procedure for compliance.

Interested persons are invited to participate in this rule making project by submitting such written data, views or arguments as they may desire. Comments and recommendations should be submitted to the American Battle Monuments Commission, Room 4C014, The Forrestal Building, Washington, D.C. 20314. All communications received on or before February 13, 1975 will be considered by the Commission before action is taken on the rule making. The proposal contained in this notice may be changed in the light of comments received. All comments and recommendations submitted will be available in the Commission's offices at the address shown above for examination by interested persons both before and after the closing date for receiving them.

In consideration of the foregoing, the following proposed Procedures and Guidelines for Compliance with the Freedom of Information Act are submitted.

Part 404 is added as follows:

PART 404—PROCEDURES AND GUIDELINES FOR COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT

§ 404.1 General.

(a) Public requests for information from the records of the American Battle Monuments Commission should be sent to that agency at Room 4C014, The Forrestal Building, Washington, D.C. 20314.

(b) Requests for information from the public will be honored within ten working days except where the confidentiality of such information is protected by law.

(c) Whenever information cannot be dispatched within ten working days after receipt of its request, an interim reply will be sent informing the requestor of the status of the request.

§ 404.2 Denial of access.

(a) Letters denying access to confidential information will be dispatched within ten working days of receipt of the request and will be signed by one of the below listed personnel:

(1) Officer-in-Charge, ABMC European Office.

(2) Officer-in-Charge, ABMC Mediterranean Office.

(3) Directors, ABMC Washington Office.

(4) Secretary, ABMC.

(b) Letters denying access to information will:

(1) Provide the requestor with the reason for denial,

(2) Inform the requestor of his or her right to appeal the denial within 30 days,

(3) Give the name of the official to whom the appeal may be sent.

(c) If an unusual circumstance delays a decision concerning access to information, the requestor will be informed of the delay within ten working days of the request's initial receipt. In no case will the decision be dalayed more than 20 working days from initial receipt of the request.

(d) A copy of each denial of information will be furnished to the Secretary at the time of its dispatch.

§ 404.3 Appeals.

(a) The Secretary is the appellate authority for all denials except those which he authors. The Chairman is the appellate authority for denials authored by the Secretary.

(b) The requestor will be informed of the decision on his or her appeal within 20 working days after its receipt. If the denial is upheld, the requestor will be advised that there are provisions for judicial review of such decisions under the Freedom of Information Act.

(c) In the event a court finds that the American Battle Monuments Commission has arbitrarily and capriciously withheld information from the public and a subsequent Civil Service Commission investigation finds agency personnel responsible, these personnel will be subject to disciplinary action by the American Battle Monuments Commission.

This notice of proposed rule making is issued under the authority of the Act of March 4, 1923 (42 Stat. 1509) as amended and supplemented (36 U.S.C. 121–138b).

Dated: January 9, 1975.

AMERICAN BATTLE MONUMENTS COMMISSION,
A. J. ADAMS,
Major General, U.S. Army,
Secretary.

[FR Doc.75-1023 Filed 1-10-75;8:45 am]

[36 CFR Part 405]

SCHEDULE OF FEES FOR SEARCH AND DUPLICATION OF RECORDS

Proposed Rule Making

The American Battle Monuments Commission is planning to issue a new Part 405 to 36 CFR Chapter IV to comply with the requirements of the Freedom of Information Act as amended on November 21, 1974. The Act requires that agencies publish in the FEDERAL REGISTER a schedule of fees to be charged for search and duplication of their records. Fees will be charged by the Commission only when requests for information place a strain upon the limited personnel and financial resources available to it. Routine requests for information concerning the monuments, memorials, and overseas military cemeteries administered by this Commission will be honored without charge.

Interested persons are invited to participate in this rule making project by submitting such written data, views, or arguments as they may desire. Comments and recommendations should be submitted to the American Battle Monuments Commission, Room 4C014, The Forrestal Building, Washington, D.C. 20314. All communications received on or before February 13, 1975 will be considered by the Commission before action is taken on the rule making. The proposal contained in this notice may be changed in the light of comments received. All comments and recommendations submitted will be available in the Commission's offices at the address shown above for examination by interested persons both before and after the closing date for receiving them.

In consideration of the foregoing, the following proposed Schedule of Fees for Search and Duplication of Records is submitted:

Part 405 is added as follows:

PART 405—SCHEDULE OF FEES FOR SEARCH AND DUPLICATION OF RECORDS

§ 405.1 General.

(a) While most information will be furnished promptly at no cost as a service to the general public, fees will be charged if the cost of search and duplication warrants.

(b) When a fee is to be charged, the individual requesting the information will be informed of the fee, and no work will be performed until he or she has agreed to pay it.

§ 405.2 Schedule.

Fees which may be charged by this Commission for search and duplication of records are as follows:

(a) Duplication Fees

(1) $2.00 for first 6 pages, 5¢ per page thereafter for photocopying.

(2) $1.50 per 8 x 10 inch black and white print of photographs.

(3) $2.50 per 8 x 10 inch color print of photographs.

(b) Search Fees

(1) $8.00 per hour to search records for specific documents.

(2) $215.00 for selective extracts from Commission computer tapes.

(3) Transportation costs of personnel and records arising from searches for requested information.

This notice of proposed rule making is issued under the authority of the Act of March 4, 1923 (42 Stat. 1509) as amended and supplemented (36 U.S.C. 121–138b).

AMERICAN BATTLE MONUMENTS COMMISSION,
A. J. ADAMS,
Major General, U.S. Army,
Secretary.

JANUARY 9, 1975.

[FR Doc.75-1024 Filed 1-10-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 318-7]

STATE OF MARYLAND IMPLEMENTATION PLAN

Withdrawal of Proposed Revision

On December 6, 1973 (38 FR 33702, 33716) and December 12, 1973 (38 FR 34240), the Administrator of the Environmental Protection Agency promulgated transportation control plans for the Maryland portion of the National Capital Interstate Air Quality Control Region and the Metropolitan Baltimore Intrastate Air Quality Control Region. These plans, which to the maximum extent reflected the preferences of the State of Maryland, included measures such as improved mass transit, emission inspection programs, and additional stationary source controls.

On April 24, 1974, the State of Maryland proposed further amendments to their state implementation plan. These amendments included, but were not limited to, regulations for control of organic solvents (10.03.38.04J(1)i, 10.03.38.-06G; 10.03.39.04J(1)i, 10.03.39.06G).

On April 26, 1974, the State provided certification that, after having given adequate notice to the public, hearings on these amendments had taken place on August 10, 1973 and November 30, 1973 in Baltimore, Maryland, on August 9, 1973 in Greenbelt, and on November 30, 1973 in Bethesda.

On August 29, 1974 (39 FR 31533), the Administrator announced receipt of these amendments and announced a 30 day for public comment. A correction notice that appeared in the October 1, 1974 FEDERAL REGISTER extended the comment period for an additional 30 days (39 FR 35386).

On October 4, 1974, the State of Maryland was informed that regulations 10.03.38.06G(2) and 10.03.39.06G(2), which prevent existing sources in the Metropolitan Baltimore and Maryland portion of the National Capital AQCR currently emitting photochemically reactive solvents at the rate of greater than 550 pounds per day from increasing their emissions, would be unacceptable for the Administrator's approval. The specific objections were as follows:

1. Justification for the 550 pounds per day cutoff between regulated and unregulated sources was lacking.

2. The definition of "average daily emissions," and the base period on which the average was determined was too vague.

3. The time period over which the emissions would be measured to determine whether they are in violation or not was unclear.

On November 29, 1974, the State of Maryland requested that regulations 10.03.38.06G(2) and 10.03.39.06G(2) be withdrawn from consideration as a proposed amendment to the state implementation plan. The State agreed that the wording and intent of this regulation may be interpreted as vague and unclear. The State has also indicated that new amendments will be proposed shortly to replace the amendments being withdrawn.

The Administrator agrees with these findings and hereby withdraws regulations 10.03.38.06G(2) and 10.03.39.06G (2) from further consideration as a proposed state implementation plan revision.

(42 U.S.C. 1857c-5)

Dated: December 27, 1974.

A. R. MORRIS,
Acting Regional Administrator.

[FR Doc.75-965 Filed 1-10-75;8:45 am]

[40 CFR Part 180]

[FRL 319-3]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Benomyl; Proposed Tolerance

Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, NJ 08903, on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Florida, Michigan, New Jersey, North Carolina, Oregon, and Washington; the North American Blueberry Council; and the State of New Jersey Department of Agriculture submitted a petition (PP 4E1479) proposing establishment of a tolerance for combined residues of the fungicide benomyl (methyl 1 - (butylcarbamoyl) - 2 - benzimidazole-carbamate) and its metabolites containing the benzimidazole moiety (calculated as benomyl) in or on the raw agricultural commodity blueberries at 7 parts per million.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies.

2. The proposed tolerance will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514 (21 U.S.C. 346a(e))), it is proposed that § 180.294 be amended by revising the paragraph "7 parts per million in or on blackberries * * *" to read as follows:

§ 180.294 Benomyl; tolerances for residues.

* * * * *

7 parts per million in or on blackberries, blueberries, boysenberries, dewberries, loganberries, and raspberries.

* * * * *

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, on or before February 12, 1975, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments with reference to this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 421 East Tower, 401 M Street, S.W., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Environmental Protection Agency and others interested in inspecting the documents. The comments must be received with 30 days from the publication of this notice and should bear a notation indicating the subject. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated: December 19, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-963 Filed 1-10-75;8:45 am]

[40 CFR Part 180]

[FRL 319-4]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Carbophenothion; Proposed Tolerance

Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, NJ 08903, on behalf of the IR-4 Technical Committee and the Agricultural Experiment Station of Maine submitted a petition (PP 4E1434) proposing establishment of a tolerance for combined residues of the insecticide carbophenothion (*S*-[[(*p*-chlorophenyl) thio]methyl] *O,O*-diethyl phosphorodithioate) and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodity blueberries at 4 parts per million.

Based on consideration given the data submitted in the petition and other relevant material, it is concluded that:

1. The insecticide is useful for the purpose for which the tolerance is being proposed.

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry and § 180.6(a)(3) applies.

3. The proposed tolerance will protect the public health.

4. The chemical name of carbophenothion should be changed from "*S*-[(*p*-chlorophenylthio)methyl] *O,O*-diethylphosphorodithioate" to *S*-[[(*p*-chlorophenyl)thio]methyl] *O,O*-diethyl phosphorodithioate."

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; (21 U.S.C. 346a(e))) it is proposed that Part 180 be amended as follows:

1. In § 180.3(e)(5), be revising the item "Carbophenothion * * *" to read as follows:

§ 180.3 Tolerances for related pesticide chemicals.

* * * * *

(e) * * *

(5) * * *

Carbophenothion (*S*-[[(*p*-chlorophenyl)thio]methyl] *O,O*-diethyl phosphorodithioate) and its cholinesterase-inhibiting metabolites.

* * * * *

2. In § 180.156 by revising the introductory paragraph and by adding the new paragraph "4 parts per million * * *" after the paragraph "5 parts per million * * *", as follows:

§ 180.156 Carbophenothion; tolerances for residues.

Tolerances for combined residues of the insecticide carbophenothion (*S*-[[(*p*-chlorophenyl)thio]methyl] *O,O*-diethyl phosphorodithioate) and its cholinesterase-inhibiting metabolites in or on raw agricultural commodities are established as follows:

* * * * *

4 parts per million in or on blueberries.

* * * * *

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, on or before February 12, 1975, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments with reference to this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 421 East Tower, 401 M Street, SW, Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Environmental Protection Agency and others interested in inspecting the documents. The comments must be received on or before February 12, 1975, and should bear a notation indicating the subject. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Date: December 19, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-964 Filed 1-10-75;8:45 am]

EXPORT-IMPORT BANK

[12 CFR Part 404]

FEE SCHEDULE FOR SEARCH AND DUPLICATION OF AGENCY RECORDS

Notice of Proposed Revision

Notice is hereby given of the proposal to amend the fee schedule set forth in § 404.6 of the regulations governing the disclosure of information under the Freedom of Information Act (FOIA). In consideration of the amendments to the FOIA contained in Pub. L. 93-502 which become effective on February 19, 1975, it is proposed to amend § 404.6 as follows:

§ 404.6 Schedule of fees.

(a) *Basis.* Factors taken into account in establishing fees for the search and duplication of Eximbank's records and the tabulation or compilation of information on record in Eximbank's files are the direct costs of duplication, the cost of transportation of records, and the salary of employees based on actual time spent for performing search and duplication services and any other services necessary to tabulate or compile the information.

(b) *Fees.* (1) For any brochure or publication readily available in the public affairs office, there is no charge.

(2) For the transportation of the records to Eximbank offices, the charge will be computed at the rate of $5.00 per hour for the messenger service.

(3) For requests requiring a manual search of Eximbank records and duplication by Eximbank employees, there will be a charge of 10 cents per page for duplication and a charge based upon employee time required for the search and duplication. The charge will be computed at the rate of $4.75 per hour for clerical time and $9.00 per hour for supervisory or professional time. The rates of compensation are based on Eximbank's average hourly rate for each of the two classifications of personnel. Clerical employees will normally perform the search and duplication but the time of supervisory or professional personnel may be utilized if necessary to perform the search.

(4) For requests requiring a computer search of Eximbank records, there may be a charge based upon use of the computer and the computer operator's time. The charge will be $100.00 per hour. In the event a new program must be prepared for the computer search, there may be an additional charge of $30.00 per hour to cover the cost of the programming and testing. These charges will normally be in lieu of the charge for an employee search but will be in addition to the fee for any duplication.

(5) While there is no obligation on the part of Eximbank to tabulate or compile records or data, Eximbank will make every effort to comply with reasonable requests for these services, provided such requests do not unduly interfere with normal operations or program activities. The charge for information which has to be tabulated or compiled will include the cost of employee time and cost of computer runs or other equipment use and other overhead expense allocable thereto. The fees for tabulation or compilation services will be fair and equitable in accordance with the federal user charge statute; See 31 U.S.C. 483a.

(6) Persons may inspect and copy specifically requested documents in the Eximbank facilities which are not exempt under § 404.3 without charge except for search, duplication, tabulation or compilation fees which may otherwise be payable.

(7) No fee will be charged in connection with any record which is not made available because it is found to be exempt from disclosure under § 404.3. A fee will be charged, however, for employee time spent attempting to locate any record which, after reasonable search, cannot be located.

(8) Eximbank will waive or reduce the fees where it determines that such waiver or reduction would be in the public interest because furnishing the information can be considered as primarily benefiting the public.

Interested persons are invited to submit comments on the proposal. Comments should be directed to the Acting Executive Vice President, Export-Import Bank, 811 Vermont Avenue, NW., Washington, D.C. 20571. The closing date for comments is February 10, 1975. The revised fee schedule set forth in § 404.6 will become effective on February 19, 1975.

Issued in Washington, D.C. on January 8, 1975.

WARREN W. GLICK,
Acting Executive Vice President.

[FR Doc.75-1066 Filed 1-9-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20065; RM-2224]

TELEVISION BROADCAST STATIONS

Order Extending Time for Filing Reply Comments

In the matter of the amendment of § 73.606(b), Table of Assignments, Television Broadcast Stations. (Alliance, Hay Springs, and Scottsbluff, Nebraska).

1. The Commission by the Chief, Broadcast Bureau pursuant to delegated authority, has before it a request for further extension of time to January 31, 1975 to file reply comments in this proceeding, filed by Wyneco Communications, Inc.

2. Among the matters at issue in this proceeding is the financial situation affecting the proponent of the rule making, Duhamel Broadcasting Enterprises as it relates to its station at Hay Springs, Nebraska. At the moment the parties are awaiting a final decision regarding Wyneco examination of the Duhamel station's financial reports. Since this bears directly upon the matters at issue in this proceeding, it is appropriate to await the resolution of that question so that the Commission will have before it reply comments based on complete data. Hopefully, the question will be resolved so as not to require a further extension.

3. Accordingly the date for filing reply comments in this proceeding is extended to and including January 31, 1975.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and §§ 0.281 and 1.46 of the Commission's rules.

Adopted: December 30, 1974.

Released: January 3, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-1007 Filed 1-10-75;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 4]

SCHEDULE OF FEES FOR DOCUMENT SEARCH, DUPLICATION AND CERTIFICATION

Opportunity To Submit Comments on Proposed Amendment

The Federal Trade Commission's current regulations on the availability of public information are contained in Sec. 4.8(c) of its procedures and rules of practice (16 CFR Sec. 4.8(c)), and set forth the procedures for inspecting, copying or obtaining reproductions of records.

Recent amendments to the Freedom of Information Act (Administrative Procedure, 5 U.S.C. 552) make significant changes in the law pertaining to the fees an agency may charge for search and duplication services performed for those requesting records. Fees for certification services are charged pursuant to 31 U.S.C. 483(a).

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., the provisions of the Freedom of Information Act, 5 U.S.C. 552, and 31 U.S.C. 483(a) has initiated a proceeding for the amendment of § 4.8(c) of its miscellaneous rules to establish a uniform schedule of fees applicable to all constituent units of the Federal Trade Commission.

Accordingly, the Commission proposes that § 4.8(c) be amended to read as follows:

§ 4.8 Availability of public information.

* * * * *

(c)(1) User fees pursuant to 31 USC 483(a) and 5 USC 552(a), as amended by Sec. (b)(1) of Public Law 93-502, shall be charged according to the schedule contained in paragraph (ii) of this section for services rendered in responding to requests for Commission records under this subpart unless the Secretary initially or the Commission on appeal determines, in conformity with the provisions of 5 USC 552(a) amended by Public Law 93-502 and 31 USC 483(a), that such charges or a portion thereof are not in the public interest. Such a determination will ordinarily not be made unless the service to be performed will benefit primarily to the public as opposed to the requester, or unless the requester is a government agency or indigent. Fees shall not be charged for a request where they would amount, in the aggregate, to less than $10.00. Ordinarily, fees will not be charged if the requested records are not found, or if all the records found are withheld as exempt. However, if the time expended in processing such a request is substantial, or if the requester has been notified of the estimated cost, pursuant to 4.11 of the Rules, or has been advised that it cannot be determined in advance whether any records will be made available, fees may be charged. The Secretary, with the approval of the Commission, shall establish such fees.

(2) The following uniform schedule of fees applies to all constituent units of the Commission, each requesting party being limited to one copy:

REPRODUCTION	
Paper copy	10 cents per page.
MICROFILM SERVICES—PRODUCTION OF MICROFILM	
16 MM	4 cents per frame.
Microfiche 4" x 6"	5 cents per frame.
DUPLICATION OF MICROFILM	
16 MM	$3.75 per 100 ft. roll.
Microfiche 4" x 6"	15 cents each.
3 M Cartridge	$1.15 each.
Load cartridge	45 cents each.
COMPUTER SERVICES—INFORMATION RETRIEVAL	
Use of terminal—each request	25 cents.
Hard copy (paper) of each request	30 cents.
Programmer	$6.50 per hour.
SEARCH FEES	
Clerical	1st hour—Free.
2nd and subsequent hrs.	$4.20 per hour.
Para-professional	1st hour—Free.
2nd and subsequent hrs.	$5.20 per hour.
Professional	1st hour—Free.
2nd and subsequent hrs.	$11.00 per hour.
Certification	$2.75 each.

(3) Payment should be made by check or money order payable to the Treasury of the United States.

All interested persons are hereby notified that they may file written comments concerning the proposed amendment with the Secretary, Federal Trade Commission, Pennsylvania Avenue and Sixth Street, NW., Washington, D.C. 20580, not later than February 10, 1975. To the extent practicable, persons wishing to file written comments in excess of two pages should submit 20 copies.

The comments with respect to the proposed amendment will be available for examination by interested parties at the Division of Legal & Public Records, Room 130, Federal Trade Commission, Washington, D.C., and will be considered by the Commission in the final amendment of the rule.

By direction of the Commission dated January 8, 1975.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.75-1038 Filed 1-10-75;8:45 am]

[16 CFR Part 438]

ADVERTISING, DISCLOSURE, COOLING OFF AND REFUND REQUIREMENTS CONCERNING PROPRIETARY VOCATIONAL AND HOME STUDY SCHOOLS

Postponement of Hearing Dates

The Federal Trade Commission has postponed until further notice the public hearings regarding the proposed Trade Regulation Rule relating to Advertising, Disclosure, Cooling Off and Refund Requirements Concerning Proprietary Vocational and Home Study Schools. The public hearings so postponed were scheduled to be held in the following places on the dates below specified:

1. Chicago, Illinois, Room 1665, Everett McKinley Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois.

Public Hearing scheduled to commence on January 13, 1975.

2. San Francisco, California, Room 12138-a, Federal Building, 450 Golden Gate Avenue, San Francisco, California.

Public Hearing scheduled to commence on January 27, 1975.

3. Los Angeles, California, Room 13209, Federal Building, 11000 Wilshire Boulevard, Los Angeles, California.

Public Hearing scheduled to commence February 3, 1975.

Notice of the scheduled public hearings was published on August 15, 1974 (39 FR 29385).

Because of recent changes in the law, bearing directly on the rulemaking procedures followed by the Federal Trade Commission, the scheduled public hearings have been postponed to permit the Commission opportunity to study and access the impact such changes may have on the Commission's rulemaking function.

The public record in the proceeding will remain open until further notice for submission of written data, views or arguments concerning the proposed rule. Written data, views or arguments may be filed with the Special Assistant Director for Rulemaking, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

Issued: January 7, 1975.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.75-1039 Filed 1-10-75;8:45 am]

[16 CFR Part 439]

DISCLOSURE REQUIREMENTS AND PROHIBITIONS CONCERNING THE FLAMMABILITY OF PLASTICS

Postponement of Hearing Date

The Federal Trade Commission has postponed until further notice the public hearing scheduled to commence on January 13, 1975, regarding the proposed Trade Regulation Rule relating to Disclosure Requirements and Prohibitions Concerning the Flammability of Plastics, notice of which was published on October 18, 1974 (39 FR 37217).

Because of recent changes in the law, bearing directly on the rulemaking procedures followed by the Federal Trade Commission, the scheduled public hearing has been postponed to permit the Commission opportunity to study and assess the impact such changes may have on the Commission's rulemaking function.

The public record in the proceeding will remain open until further notice for submission of written data, views or arguments concerning the proposed rule. Written data, views or arguments may be filed with the Special Assistant Director for Rulemaking, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

Issued: January 7, 1975.

By the Commission.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.75-1040 Filed 1-10-75;8:45 am]

NATIONAL MEDIATION BOARD

[29 CFR Part 1208]

AVAILABILITY OF INFORMATION

Notice of Proposed Rulemaking

Pursuant to the authority contained in 44 Stat. 577, as amended (45 U.S.C. 151-163) the National Mediation Board herein proposes to amend Part 1208 of its rules by revising § 1208.6.

Section 1208.6 of the rules of the National Mediation Board provides fee schedules for search and duplication of Board records which are available to the public pursuant to Part 1208. The 1974 Freedom of Information Act Amendments, Pub. L. 93-502, enacted November 21, 1974, require revision and clarification of agency practices regarding search and duplication fees.

Notice is hereby given that the Executive Secretary, with the approval of the Board, proposes to amend § 1208.6 by deleting the present language and substituting language set forth below.

It is proposed that the amendments become effective on February 19, 1974.

Interested parties may submit written views or argument on the proposed rules to the National Mediation Board, Washington, D.C. 20572. Comments received on or before Friday, February 7, 1974, will be considered before final action is taken on the proposal. All comments in response to this proposal will be available for public inspection during normal business hours at the Board's offices at 1230 16th Street, NW., Washington, D.C.

It is, therefore, proposed to amend § 1208.6 in the manner set forth below.

Dated: January 13, 1975.

[SEAL] ROWLAND K. QUINN, Jr., *Executive Secretary.*

PART 1208—AVAILABILITY OF INFORMATION

Part 1208 of Title 29 of the Code of Federal Regulations is amended by revising § 1208.6 to read as follows:

§ 1208.6 Fees—duplication costs and search.

(a) (1) Unless waived in accordance with the provisions of § 1208.62, the following fees shall be imposed for the reproduction of any record disclosed pursuant to this Part.

(i) *Copying of records.* Fifteen cents per copy of each page.

(ii) *Copying of microfilm.* Fifty cents per microfilm frame.

(iii) *Clerical searches.* $1.25 for each one quarter hour spent by clerical personnel searching for and producing a requested record, including time spent copying any record.

(iv) *Non-clerical searches.* $3.75 for each one quarter hour spent by professional or managerial personnel searching for and producing a requested record, including time spent copying any record.

(v) *Certification or authentication of records.* $1.00 per certification or authentication.

(vi) *Forwarding material to destination.* Postage, insurance and special fees will be charged on an actual cost basis.

(2) (i) No charge shall be assessed for time spent in resolving legal or policy questions relating to the documents or in examining records for the purpose of deleting nondisclosable portions thereof.

(ii) No charge shall be assessed for time spent in monitoring an individual who examines documents at the Board's offices.

(3) Payment shall be made by check or money order payable to "United States Treasury."

(b) (1) No fee shall be charged for disclosure of records pursuant to this part where:

(i) The cost of providing the records is less than $5.00.

(ii) The records are requested by a congressional committee or subcommittee, a Federal court, a Federal department or agency, or the General Accounting Office.

(2) (i) The Executive Secretary may waive payment of fees, in whole or in part, when he determines that the person making the request is indigent.

(ii) A person seeking such a determination shall petition the Executive Secretary in writing stating the reasons therefore.

(iii) Determinations made pursuant to this provision will be made within the discretion of the agency.

(3) (i) The Executive Secretary may reduce or waive payment of fees in whole or in part when he determines that such reduction or waiver is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

(ii) Determinations pursuant to this provision shall be made within the discretion of the agency.

(4) No fee shall be charged if a record requested is not found or for any record that is determined to be totally exempt from disclosure.

[FR Doc.75-1015 Filed 1-10-75;8:45 am]

POSTAL RATE COMMISSION

[39 CFR Part 3001]

[Docket No. RM 75-1]

PUBLIC INFORMATION AND REQUESTS

Proposed Rulemaking

Notice is hereby given that the Postal Rate Commission has under consideration rulemaking action to amend its regulation governing the availability of information to the public.

Pub. L. 93-502 amended the Freedom of Information Act [5 U.S.C. 552, hereinafter FOIA] in a number of respects. The Commission is proposing to amend its regulations to conform to the requirements of FOIA. The main amendments are as follows:

1. The deadlines for Commission decisions on FOIA requests have been revised to meet the requirements of Pub. L. No. 93-502. The new deadlines are: 10 days for the initial decision on a request by the Commission's Secretary, and 20 days for a decision by the Commission on appeal. As authorized by law, these deadlines may be extended an overall total of 10 days.

2. The new law authorizes the imposition of fees for FOIA requests, to meet the "direct costs" of "search and duplication." The Commission proposes a fee of 15 cents a page to cover the direct costs of duplication. The Commission does not propose to impose fees for searching for documents at this time. The fee for duplication may be reduced or waived if the Commission determines that such action is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

3. The descriptions in the Commission's regulations of material exempt from disclosure have been revised to conform to the new exemptions in Pub. L. No. 93-502.

The proposed amendments are set forth in full in an attachment hereto. The Commission will entertain comments received on or before February 4, 1975. Comments should be filed with the Commission's Secretary, at the Postal Rate Commission, 2000 L Street, NW., Washington, D.C. 20268.

Authority for the proposed rulemaking is contained in 39 U.S.C. 3603 and 5 U.S.C. 552.

By direction of the Commission.

Issued: January 9, 1975.

JOSEPH A. FISHER, *Secretary.*

Section 3001.42 is amended as follows:

§ 3001.42 [Amended]

1. In paragraph (b)(12) subparagraph (i) is revised and a new subparagraph (vii) is added to read as follows:

(b) * * *

(12) * * *

(i)(*a*) Specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (*b*) are in fact properly classified pursuant to such Executive order;

* * * * *

(vii) Investigatory records compiled for law enforcement purposes, to the extent specified in 5 U.S.C. 552 (b)(7).

2. Paragraph (c) is revised to read as follows:

(c) *Requests for Records.* Requests for records shall be in writing and shall reasonably describe the records sought. Requests shall be addressed to the Secretary at the offices of the Commission. Requests which rely upon the Freedom of Information Act, 5 U.S.C. 552, shall bear the caption "Freedom of Information Act Request." Within 10 days (excluding Saturdays, Sundays, and legal public holidays) after receipt of a request for a Commission record, the Secretary shall:

(1) *General.* Inform the requestor where and when the records may be inspected and, if ascertainable, of the charge for furnishing copies; or

(2) *Deny the request.* A denial shall be in writing; it shall cite the specific exemption or exemptions under these rules authorizing the withholding of the records sought and shall inform the requestor that he may, within 20 days, appeal the denial to the Commission. Appeals to the Commission shall be in writing. The Commission may also review any decision of the Secretary on its own initiative. The Commission will consider all appeals and either grant or deny them in writing, within 20 days (excluding Saturdays, Sundays and legal public holidays) of the date the appeal is received. If on appeal the denial of the request for records is upheld, the Commission shall notify the person making such request of the provisions for judicial review of that determination pursuant to 5 U.S.C. 552(c).

3. Add new paragraphs (c)(3) and (c)(4) as follows:

(3) *Extensions of Time.* The time period for decision on application pursuant to (c) above may be extended up to 10 working days by the Secretary and the time period for decisions on appeals may be extended up to 10 working days by the Commission, provided, however, that the total period of extensions may not exceed 10 working days. Such extensions shall be by written notice determining that an extension is warranted by unusual circumstances as specified in 5 U.S.C. 552(a)(6)(B).

(4) *Fees.* Documents furnished pursuant to the Freedom of Information Act shall be subject to a fee of 15 cents a page to meet the costs of duplication. Documents may be furnished without charge or at a reduced charge if the Commission determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

[FR Doc.75-1088 Filed 1-10-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Low Rent Public Housing

[24 CFR Part 1280]

[Docket No. R-74-311]

PAGINATION ERROR

In the Part IV document (FR Doc. 75-123) in the issue of Thursday, January 9, 1975, pages 2173 through 2182 are being renumbered as page 2172a through 2172j, respectively, in order to avoid a duplicate use of page numbers with the Friday, January 10, 1975 Federal Register. Thus, the inclusive page numbers for the Part IV document are renumbered from pages 1902-2182 to 1902-2172j.

INTERNATIONAL TRADE COMMISSION

[19 CFR Part 201]

FEE SCHEDULE FOR INFORMATION AVAILABLE TO PUBLIC

Notice of Proposed Rule Making

In accordance with section 1 of Public Law 93-502, approved November 21, 1974, amending 5 U.S.C. 552, and to implement section 11 of Public Law 92-463, approved October 6, 1972, the Commission proposes to amend Title 19, Part 201, of the Code of Federal Regulations by adding a new subparagraph (c) to section 201.5, set forth in tentative form below:

(c) Fee schedule for information available under the Freedom of Information Act (5 U.S.C. 552).

1. Search for records—$10.00 per hour; provided that no charge will be made for any search of one-half hour or less.

2. Reproduction, duplication, or copying of records—10 cents per page; provided, however, that no charge will be made where the total amount does not exceed 50 cents.

3. Unless a request for information specifically states that whatever cost is involved is acceptable, or acceptable up to a specified limit that covers anticipated costs, a request that is expected to involve assessed fees in excess of $15.00 will not be deemed to have been received until the requester is advised of the anticipated costs and agrees to bear them.

Written comments concerning the proposed regulations are invited from interested persons. Comments may be presented in writing to the Office of the Secretary, United States International Trade Commission, Washington, D.C. 20436. All comments received not later than February 12, 1975, will be considered.

It is proposed to make the regulations adopted effective on February 19, 1975.

By order of the Commission:

Issued: JANUARY 10, 1975.

KENNETH R. MASON,
Secretary.

[FR Doc.75-1219 Filed 1-10-75;9:58 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 75-17]

INTERNAL ADVICE PROCEDURE

Procedure To Be Used to Obtain Advice or Rulings from Headquarters with Respect to Actual Transactions

JANUARY 3, 1975.

There is published below for the information and guidance of the public an internal advice procedure established by the Commissioner of Customs for the use of Customs officers, importers, and other interested parties in obtaining advice and rulings from Customs Headquarters with respect to ongoing Customs transactions within the technical areas of law interpreted by the Office of Regulations and Rulings. This procedure is effective immediately and should be used by the public in requesting advice or rulings with respect to such legal questions insofar as they apply to actual Customs transactions.

[SEAL] LEONARD LEHMAN,
Assistant Commissioner,
Regulations and Rulings.

1. *Purpose.* The purpose of the internal advice procedure is to provide a system for the uniform disposition of issues before the U.S. Customs Service. It provides a formal method for furnishing advice and guidance to field officers in the interpretation and application of the laws and regulations for which the Customs Service is responsible.

2. *Definitions.* "Internal advice," as used here, means advice or guidance as to the proper interpretation and application of the Customs laws, related statutes, and regulations, within the areas of responsibility administered by the Office of Regulations and Rulings (OR & R), (Delegation Order No. 1, as revised), with respect to a specific set of facts, furnished by Headquarters upon request by a regional commissioner, district or area director. Such advice or guidance is furnished as a means of assisting Customs personnel in the disposition of pending transactions and in establishing and maintaining consistent legal interpretations. Internal advice may, therefore, be requested with respect to issues arising in connection with current Customs transactions, or with respect to any matter when there is a possible lack of uniformity in the application of the Customs and related laws and regulations, where good administration would suggest that an authoritative technical interpretation be secured from Headquarters for application to present and future transactions.

3. *Requesting internal advice.* a. Regional commissioners, district or area directors, will determine whether internal advice is to be requested on any issue before them. In general, this advice may be requested on any question involving a legal interpretation which develops during the consideration of a transaction or the administration of any law or regulation for which the Customs Service is responsible. However, internal advice should be requested in every case in which any of the following conditions exist:

1. The laws and regulations are not clear on the issue being considered and there is no published precedent for determining the proper treatment of the issue;

2. There is reason to believe that nonuniformity in the treatment of the issue exists between districts;

3. The issue is so unusual or complex as to warrant consideration by Headquarters;

4. The regional commissioner, district/area director, believes that the issue is one of national application; or

5. The district/area director is asked to seek such advice by (1) the importer, (2) a Customs officer other than a regional commissioner, district or area director, or (3) another party having an interest in the transaction in question, as more fully explained in sec. 5, below.

b. The regional commissioner or district/area director should avail himself of the internal advice procedure whenever he is of the opinion that a ruling previously issued to an importer or other interested party by Headquarters should be modified or revoked.

c. Inasmuch as the benefits of the internal advice procedures may go beyond the issues in a particular case, the fact that requesting internal advice may delay closing the case should not be considered in determining whether internal advice should be requested.

4. *Request procedures.* a. A request for internal advice will be in the form of a memorandum to Headquarters, Office of Regulations and Rulings. The memorandum will include a statement of the pertinent facts of the question or questions presented, and any recommendations the requesting officer wishes to make. The statement of the facts should be clear, complete, and direct in order to avoid any misunderstanding of the facts on which the internal advice is to be based. Supporting documents and materials should be submitted with the memorandum.

b. If the request for internal advice relates to classification and value matters, the original and one copy of the memorandum will be sent by the requesting officer to the Customs Information Exchange (CIE). Additional copies of the request will also be sent to Headquarters (Office of Operations), and the respective regional commissioner if the request for internal advice was initiated by a district/area director. The regional commissioner is invited to make comments or recommendations directly to Headquarters (OR & R) on any internal advice request.

1. The C.I.E. will promptly forward the original copy of the memorandum to the appropriate national import specialist in New York for his review and comments. The national import specialist will also communicate with the Assistant Chief Counsel (Customs Court Litigation) to determine if the issue or issues presented are the subject of pending litigation. The duplicate copy of the memorandum will be utilized by C.I.E. to compile and circulate a monthly register of classification and value issues currently before Headquarters for resolution. Regional commissioners, or district/area directors having an interest in any of these issues may forward their comments directly to Headquarters (OR & R).

2. The national import specialist will review the request for internal advice. He should include in his comments a detailed background analysis of the issue based on the information available at New York. The original copy of the memorandum, together with comments and attachments, if any, will be sent directly to Headquarters (Office of Regulations and Rulings), within ten (10) working days from date of receipt by the national import specialist.

3. Requests for internal advice relating to classification and value matters originating at New York will be sent directly to the C.I.E., which will utilize the data for inclusion in the monthly register of classification and value issues.

c. In cases involving issues other than classification and value matters, the memorandum requesting internal advice will be forwarded directly to Headquarters (OR & R) by the requesting officer. Duplicate copies of the memorandum will also be sent to Headquarters (Office of Operations) and to the appropriate regional commissioner if the request was initiated by a district/area director.

d. Headquarters will endeavor to issue a reply to a request for internal advise within thirty (30) days from the date the request is received. If for any reason a decision cannot be reached within 30 days, the office submitting the request will be advised of the delay and of the reasons therefor, and will be given a projected date of reply.

e. If the request for internal advice relates to an ongoing transaction, the importer (or other interested party, if appropriate) involved in the transaction will be notified by the district/area director, in writing, that internal advice has been requested. The notification will set forth the reasons prompting the request, including the question or questions presented, and will invite the importer (or other interested party) to submit a statement setting forth his position on the question or questions presented to Headquarters (Office of Regulations and Rulings) through the district/area director.

f. When a request for internal advice is initiated under this procedure liquidation or action on the transactions concerned shall be suspended until a final determination on the request is issued. If, however, the request is initiated by or on behalf of a party who does not have a direct interest in the transaction, suspension of liquidation or action shall be at the discretion of the district/area director.

5. *Requests initiated by importer or other interested party.* a. In the case of a prospective transaction, an importer or other interested party must avail himself of existing regulatory procedures to obtain an administrative ruling directly from Headquarters. Other opinions or advice on such transactions are not binding on the Customs Service.

b. All other transactions are under the jurisdiction of the Customs Service where they are being considered. An importer, a Customs officer (other than a regional commissioner or district/area director) or other interested party must request that an issue arising in connection with a transaction currently under the jurisdiction of a Customs Service field office be submitted to Headquarters by the appropriate district/area director under the internal advice procedure.

c. The importer's or other interested party's request that the question be submitted to Headquarters under the internal advice procedure shall be accompanied by a written statement setting forth the facts of the situation, the point or points at issue, the applicable law, and an argument for the conclusions advocated. The statement must also specify whether, to the knowledge of the persons making the statement, the same issue, or one identical to it, has ever been considered, or is currently being considered, by any Customs Service office. This written statement must be submitted along with the district/area director's memorandum.

d. When internal advice is sought at the request of an importer or other interested party, the district/area director will incorporate in his memorandum, by reference, any part of the statement furnished by the importer or other interested party with which he is in agreement. The district/area director will also note in the memorandum any extraordinary problems that would be created by the consideration of the request for internal advice by Headquarters, including any unusual difficulties which would result from the required withholding of liquidation while the request for internal advice is under consideration.

e. The Headquarters Office may refuse to consider the questions presented to it in the form of a request for internal advice whenever (i) the Headquarters Office determines that the period of time necessary to give adequate consideration to the questions presented would result in a withholding of action with respect to the transaction, or other situation, that is inconsistent with the sound administration of the Customs and related laws, and (ii) the questions presented can subsequently be rasied by the importer or other interested party in the form of a protest filed in accordance with the provisions of Part 174 of this chapter.

6. *Preparation of internal advice memorandums by headquarters.* a. Replies to requests for internal advice will be made by memorandums addressed to the requesting officers. Each memorandum will contain (1) a recitation of the pertinent facts, (2) a discussion of the facts and precedents, (3) the reasoning of Headquarters, and (4) the conclusions reached by Headquarters, giving direct answers, whenever possible, to the specific questions presented. At the same time, copies of the replies will be sent to the Office of Operations, CIE and to the appropriate regional commissioners if the request for internal advice was initiated by a district/area director. In cases which do not involve classification and value issues, the copy to the CIE will be omitted unless the reply is to be circulated in accordance with section (b) of this paragraph.

b. Internal advice rulings of significant importance will be circulated by the C.I.E. as part of the ORR series. Circularization of rulings will not be limited to those issues involving classification and value matters.

7. *Action on internal advice in field offices.* a. Where internal advice was sought at the request of an importer or other interested party and the district/area director agrees with the conclusions reached by Headquarters, the district/area director should furnish the importer or other party with a copy of the internal advice memorandum, unless instructed otherwise.

b. If a requesting officer believes that the conclusions reached by Headquarters in an internal advice memorandum should be reconsidered, he shall request such reconsideration within twenty (20) days of his receipt of the memorandum, following the same procedure that applied to the original request except that the views of the importer or other interested party need not be obtained again. If for some reason a district/area director cannot submit a request for reconsideration within twenty (20) days, he shall advise Headquarters in writing within the twenty-day period that he intends to request reconsideration indicating when his request will be made. Headquarters will act on the request for reconsideration within ten (10) days of receipt.

c. If a request for reconsideration is not made, or the original position is upheld, the district/area director shall immediately process the transaction in accordance with the conclusions set forth in the internal advice memorandum.

8. *Effect of internal advice.* a. An internal advice memorandum represents an expression of the official position of the Customs Service as to the application of law, regulations, and precedents to a particular set of facts, and is issued as a means of assisting field officers in the administration of the laws and regulations for which the Customs Service is responsible. Whenever the conclusions reached in an internal advice memorandum will affect a substantial volume of imports, or if its publication would promote the uniform application of the laws and regulations for which the Customs Service is responsible, or if for any other reason those conclusions are considered to be of sufficient importance, the internal advice memorandum will be published in the weekly Customs Bulletin.

b. Published internal advice memorandums have the effect of published rulings and are binding on all Customs Service personnel until modified or revoked.

[FR Doc.75-1080 Filed 1-10-75;8:45 am]

Internal Revenue Service

PROPOSED EXEMPTION FROM PROHIBITIONS ON TRANSACTIONS BETWEEN EMPLOYEE BENEFIT PLANS AND CERTAIN BROKER-DEALERS

Hearing on Exemption Proceeding

Notice of the pendency of an exemption proceeding for certain broker-dealers from all or part of the restrictions of section 4975 of the Internal Revenue Code of 1954 (relating to excise tax on prohibited transactions) appears in this issue of the FEDERAL REGISTER at p. 2455.

A public hearing with respect to the exemption proceeding will be held on January 21, 1975, beginning at 10 a.m., e.s.t., in the George S. Boutwell Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, D.C. 20224.

An interested person who desires to present oral comments at the hearing and who wishes to be assured of being heard shall submit a statement to that effect, and the time he wishes to devote, by 3:30 p.m., e.s.t., on January 20, 1975. The statement should be submitted to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224. An agenda will then be prepared containing the order of presentation of oral comments and the time allotted to such presentation. Ordinarily, a period of 10 minutes will be the time allotted to each person for making his oral comments.

At the conclusion of the presentations of comments of persons listed in the agenda, to the extent time permits, other comments will be received. The public hearing will be transcribed.

A person wishing to make oral comments at the hearing may do so without filing written comments. Persons making oral comments should be prepared to answer questions regarding information brought forth in their comments (including written comments, if any).

Persons who plan to attend the hearing should notify the Commissioner at the above address or telephone (Washington, D.C.) 202-964-3935 by January 20, 1975.

The public hearing will be held simultaneously and in conjunction with that of the Secretary of Labor at the same time, place, date, and manner. The notice of hearing of the Department of Labor appears in this issue at p. 2483.

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

[FR Doc.75-1222 Filed 1-10-75;10:35 am]

PROPOSED EXEMPTION FROM PROHIBITIONS ON TRANSACTIONS BETWEEN BENEFIT PLANS AND CERTAIN BROKER-DEALERS

Exemption Proceeding

Notice is hereby given of an exemption proceeding under section 4975(c)(2) of the Internal Revenue Code of 1954. The exemption to be considered would apply to certain transactions between employee benefit plans and certain broker-dealers. Applications for exemption have been made by and on behalf of the Securities Industry Association, the National Association of Securities Dealers and certain broker-dealers.

The applications state that there is great uncertainty in the securities industry over the nature and extent to which ordinary and customary transactions between broker-dealers and employee benefit plans are subject to the prohibited transactions provisions of section 4975 of the Code, or are covered by the transitional rule provided by section 2003 (c)(2)(D) of the Employee Retirement Income Security Act of 1974 and the extent to which broker-dealers fall within the definitions of disqualified persons and fiduciary in section 4975(e)(2) and (3). Citing the recent effective date of January 1, 1975, of the provisions of the Act relating to prohibited transactions and fiduciary resrousibilities, the complexity of the fiduciary responsibility provisions of part 4, Title I of the Act, the risks of civil liability, and the potential disruption to the capital market, with the attendant possible adverse consequences to the funds of employee benefit plans and to the participants and beneficiaries of such plans, the applicants have requested that an exemption be granted pursuant to section 4975(c)(2) of the Code.

The Securities and Exchange Commission has expressed deep concern about the uncertainty in the securities industry over the application of such provisions and the potential disruption to the capital market.

On the basis of the applications and the concern expressed by the Securities and Exchange Commision, this notice invites written comments concerning such exemption proceeding. Pursuant to such proceeding, notice is hereby given that the exemption set forth in tentative form in the attached appendix is proposed to be granted.

Before granting any such exemption, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies, three of which will be forwarded by the Internal Revenue Service to the Department of Labor) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by January 21, 1975. Every written comment submitted in response to this notice will be made part of the record and is subject in its entirety to public inspection and copying in accordance with procedures similar to procedures of 26 CFR 601.702(d)(9).

A public hearing will be held simultaneously and in conjunction with that of the Secretary of Labor, and notice of the time, place, date and manner of the public hearing is simultaneously published herewith.

Before any exemption may be granted, a determination on the record must be made that such exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries, and protective of the rights of participants and beneficiaries of the plan. This determination will be made upon comments submitted in writing or at the public hearing.

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

The following interim exemption is proposed to be granted under the authority of section 4975(c)(2) of the Internal Revenue Code of 1954:

The restrictions of section 4975 do not apply to the following transactions:

(a) *Period from January 1, 1975 through February 14, 1975.* With respect to a broker-dealer registered under the Securities Exchange Act of 1934 or a reporting dealer who makes primary markets in Government securities and reports daily to the Federal Reserve Bank of New York its positions with respect to Government securities and borrowings thereon, any purchase or sale of a security between an employee benefit plan and such a broker-dealer or such a reporting dealer, which purchase or sale has a final settlement date before February 15, 1975, if:

(1) Such a broker-dealer, or reporting dealer, ordinarily and customarily engaged in similar transactions on December 31, 1974;

(2) Such transaction is at least as favorable to the plan as an arm's length transaction with an unrelated party would be; and

(3) The transaction was not, at the time of such transaction, a prohibited transaction (within the meaning of section 503(b) of the Internal Revenue Code of 1954 or the corresponding provisions of prior law).

The restrictions of section 4975 do not apply to the following transactions:

(a) *Period from January 1, 1975 through February 14, 1975.* With respect to a broker-dealer registered under the Securities Exchange Act of 1934 or a reporting dealer who makes primary markets in Government securities and reports daily to the Federal Reserve Bank of New York its positions with respect to Government securities and borrowings thereon, any purchase or sale of a security between an employee benefit plan and such a broker-dealer or such a reporting dealer, which purchase or sale has a final settlement date before February 15, 1975, if:

(1) Such a broker-dealer, or reporting dealer, ordinarily and customarily engaged in similar transactions on December 31, 1974;

(2) Such transaction is at least as favorable to the plan as an arm's length transaction with an unrelated party would be; and

(3) The transaction was not, at the time of such transaction, a prohibited transaction (within the meaning of section 503(b) of the Internal Revenue Code of 1954 or the corresponding provisions of prior law).

(b) *Period ending April 30, 1975.* With respect to a broker-dealer or reporting dealer within the meaning of paragraph (a) of this appendix, any purchase or sale of a security between an employee benefit plan and such a broker-dealer or such a reporting dealer which has a final settlement date after February 14, 1975 but before May 1, 1975, if the requirements of paragraph (a)(1), (2) and (3) of this appendix are met and if such broker-dealer or such reporting dealer does not render investment advice to the plan and does not fall within section 4975(e)(3)(A) or (C) of the Code. For purposes of this paragraph, a broker-dealer or reporting dealer shall not be deemed to be rendering investment advice if the advice rendered is solely incidental to the conduct of its business as broker or dealer and if it receives no special compensation therefor (within the meaning of section 202(a)(11)(C) of the Investment Advisers' Act of 1940) and shall not be deemed to be rendering investment advice to the extent that it values securities for a plan or provides securities custodial services.

(c) *Affiliates.* For purposes of paragraphs (a) and (b) of this appendix, affiliates of any broker-dealer or reporting dealer shall be deemed to be part of such broker-dealer or reporting dealer.

[FR Doc.75-1225 Filed 1-10-75;10:35 am]

Office of the Secretary

CHICKEN EGGS IN THE SHELL FROM CANADA

Antidumping; Tentative Negative Determination

Information was received on June 11, 1974, that chicken eggs in the shell from Canada were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of July 12, 1974, on page 25670.

I hereby make a tentative determination that chicken eggs in the shell from Canada are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

STATEMENT OF REASONS ON WHICH THIS TENTATIVE DETERMINATION IS BASED

Analysis of information from all sources revealed that a sufficient quantity of merchandise identical to the imported merchandise is sold for home consumption so that for fair value purposes the proper basis of comparison is between the home market price and the purchase price of the imported merchandise.

Purchase price was calculated on the basis of either an f.o.b. U.S. destination price or an f.o.b. central storage plant in Canada price, with packing included in both prices. Deductions were made for freight, insurance, brokerage and duties, where appropriate.

Home market price was calculated on the basis of an f.o.b. central storage plant price, packing included.

Using the above criteria, purchase price was found to be equal to or greater than the home market price of the imported merchandise.

In accordance with §§ 153.33(a) and 153.37, Customs Regulations (19 CFR 153.33(a), 153.37), interested parties may present writen views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street, NW., Washington, D.C. 20229, in time to be received by his office not later than January 23, 1975. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than February 12, 1975.

This tentative determination and the statement of reasons therefore are published pursuant to § 153.33 of the Customs Regulations (19 CFR 153.33).

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 8, 1975.

[FR Doc.75-1013 Filed 1-10-75;8:45 am]

BIRCH 3 PLY DOORSKINS FROM JAPAN

Antidumping Proceeding Notice

On December 12, 1974, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that birch 3 ply doorskins from Japan are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29), and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the constructed value.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 9, 1975.

[FR Doc.75-1210 Filed 1-10-75;9:03 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF SCIENTIFIC ADVISORY BOARD

Notice of Meeting

JANUARY 6, 1975.

The United States Air Force Scientific Advisory Board C-141 Independent Review Team will hold an open meeting on January 28-29, 1975, from 8:30 a.m. until 5 p.m. at Lockheed Aircraft Company, Marietta, Georgia.

The C-141 Independent Review Team will meet to review the proposed modification to stretch the C-141.

For further information on this meeting, contact the Scientific Advisory Board Secretariat at 202-697-8845.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.75-750 Filed 1-10-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-21]

SAMUEL D. NOVICH, D.V.M.

Notice of Hearing

Notice is hereby given that on October 25, 1974, the Drug Enforcement Administration, Department of Justice, issued to Samuel D. Novich, D.V.M., Cherry Hill, New Jersey, an Order to Show Cause as to why the Drug Enforcement Administration registration No. AN0604416, issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since said order was received by Dr. Novich, and written request for a hearing having been filed with the Drug Enforcement Administration, Notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on January 20, 1975, in Room 1210, of the Drug Enforcement Administration, 1405 I Street, NW., Washington, D.C. 20537.

Dated: JANUARY 8, 1975.

JOHN R. BARTELS, Jr.,
Administrator, Drug Enforcement Administration.

[FR Doc.75-1006 Filed 1-10-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OIL AND GAS LEASING

Relocation of Public Hearing in California Regarding Proposed Increase in OCS Leasing

In the FEDERAL REGISTER of October 18, 1974, (39 FR 37222), the Department announced the availability of a draft environmental impact statement and the holding of public hearings regarding the proposed acceleration of oil and gas leasing on the Outer Continental Shelf.

In order to provide additional time for review of the draft impact statement, the Department first rescheduled the hearings to early December (39 FR 39297), and then to early February (39 FR 44670). These hearings were scheduled to be held in Anchorage, Alaska; Trenton, New Jersey; and Anaheim, California.

Notice is hereby given that the hearing previously scheduled to be held in Anaheim, California, has been relocated as follows:

Los Angeles Area.—February 6, 7, and 8 (Thursday, Friday, and Saturday).
El Rodeo Elementary School Auditorium
605 Whittier Drive
Beverely Hills, California 90210

All information and requirements with respect to these hearings which were published in the FEDERAL REGISTER on December 26, 1974, (39 FR 44670) remain unchanged except for relocation of the California hearing from Anaheim to Beverly Hills.

CURT BERKLUND,
Director, Bureau of Land Management.

Approved: January 8, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-1025 Filed 1-10-75;8:45 am]

Office of Hearings and Appeals

[Docket No. M 75-77]

ISLAND CREEK COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c), Island Creek Coal Company has filed a petition to modify the application of 30 CFR 75.1403-8(c) to its No. 9 Mine, Madisonville, Kentucky.

30 CFR 75.1403-8(c) provides:

Track haulage roads developed after March 30, 1970, should have clearance on the "tight" side of at least 12 inches from the farthest projection of normal traffic.

In support of its petition, Petitioner states:

(1) In three or four locations on the north motor road of Petitioner's mine,

unusually unstable roof conditions exist. As an extra precaution against roof falls, steel beams and rails, rather than timbers, are used as roof supports in these areas. Additionally, passages are narrowed somewhat to reduce the amount of roof which must be supported.

(2) As a result of this narrowing, there are points along the track haulage road, primarily on curves, where the corners of supply cars do not clear the sides by the 24 inches required by § 75.1403-8(c) of the regulations.

(3) The three or four locations where unstable roof conditions exist total approximately 100 feet in length and only at certain points is the required clearance not met.

(4) These locations seldom have men working in them and the supply motormen travel through these locations alone a majority of the time. Additionally, adequate shelter holes are provided along these locations.

(5) The roof in these three or four locations of unstable roof conditions is presently adequately supported. To widen these passages to achieve the required clearance at all points will require replacement of the steel supports along the length of these locations and will increase the amount of roof which must be supported.

(6) Petitioner proposes as an alternate safety measure to post red lighted warning signs at the points on the north motor road of Petitioner's mine where the required clearances cannot be met. Due to the infrequency of activity in these areas, the posting of such red lighted warning signs as an alternative method of achieving the result of § 75.1403-8(c) of the regulations will at all times guarantee no less than the same measure of protection afforded the miners in these areas of the mine by the mandatory safety standard. Additionally, the widening of these passages to comply with the standard will, by exposing more unstable roof, result in a diminution of safety to the miners passing through such areas of the mine.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before February 12, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: January 6, 1975.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

[FR Doc.75-1017 Filed 1-10-75;8:45 am]

National Park Service

[Order 86]

CHIEF, CONTRACT ADMINISTRATION DENVER SERVICE CENTER

Delegation of Authority

SECTION 1. *Delegation.* The Chief, Contract Administration, Denver Service Center, is authorized to exercise all the contracting authority now or hereafter vested in the Superintendent, Grand Canyon National Park, Grand Canyon, Arizona, for Contract No. 14-10-0315-396, dated December 31, 1964, Transcanyon Water Line, Grand Canyon National Park, Arizona, between the United States of America and Elling Halverson, Inc., and Lent's Inc., A Joint Venture.

SEC. 2. *Redelegation.* The authority delegated by this order may not be redelegated.

((205 DM, as amended. 254 DM, as amended.) sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: January 9, 1975.

LEONARD NORWOOD,
Acting Director, National Park Service.

[FR Doc.75-1159 Filed 1-10-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

HOP MARKETING ADVISORY BOARD

Public Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770), notice is given of a meeting of the Hop Marketing Advisory Board at 8:30 a.m., p.s.t., January 20, 1975, at the Sheraton Inn-Airport, San Diego, California.

The Hop Growers of America, an industry organization composed of hop growers in the States of Washington, Oregon, Idaho, and California, is meeting in San Diego January 21 and 22, 1975. This is their annual meeting and is widely attended by growers. It provides the only opportunity before spring planting for the members of the Advisory Board to exchange information with such a large group of hop growers. This enables the Advisory Board to arrive at marketing policy recommendations which it must submit to the Hop Administrative Committee. It, therefore, has been determined that it is within the best interests of the Federal Government to have the meeting of the Hop Marketing Advisory Board immediately preceding the Hop Growers of America's annual meeting. The Advisory Board should meet on January 20, 1975. Inasmuch as the charter renewing the Hop Marketing Advisory Board was not issued until January 6, 1975, it is impossible to meet the 15 day advance notice required by OMB Circular A-63, revised March 27, 1974.

The purpose of the meeting is to discuss reserve pool matters, marketing research and development projects, and marketing policy and related matters. The meeting will be open to the public.

The Hop Marketing Advisory Board is established under Marketing Order No. 991, as amended (7 CFR Part 991), regulating the handling of hops of domestic production. The marketing order is effective under the Agricultural Marketing Agreement Act of 1937, as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

The names of Board members, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Robert H. Eaton, Manager, Hop Administrative Committee, Room 1002, Corbett Building, 430 S.W. Morrison Street, Portland, Oregon 97204, telephone 503-224-1823.

Dated: January 9, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc.75-1189 Filed 1-10-75;11:16 am]

Packers and Stockyards Administration

ARIZONA LIVESTOCK AUCTION, INC., PHOENIX, ARIZONA, ET AL.

Proposed Posting of Stockyards

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in Section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

AZ-100—Arizona Livestock Auction, Inc., Phoenix, Arizona.
CO-144—Friends & Neighbors Commission Co., Inc., Salida, Colorado.
GA-178—R & T Livestock Co., Millen, Georgia.
KS-199—Rush County Livestock Sales Co., LaCrosse, Kansas.
KS-200—Leavenworth Livestock Auction Company, Leavenworth, Kansas.
OK-193—Meeker Livestock Market, Meeker, Oklahoma.
TX-310—Bowie Livestock Commission, Inc., Bowie, Texas.
TX-309—Nixon Livestock Commission, Inc., Nixon, Texas.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act as provided in Section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, United States Department of Agriculture, Washington, D.C. 20250, by January 28, 1975.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 U.S.C. 1.27(b)).

Done at Washington, D.C., this 6th day of January, 1975.

EDWARD L. THOMPSON,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc.75-990 Filed 1-10-75;8:45 am]

Office of the Secretary

FEED GRAIN DONATIONS

Walker River and Yomba Indian Lands in Nevada, Sandia and San Felipe Indian Lands in New Mexico, and Ute Mountain Indian Lands in Colorado, New Mexico and Utah

Pursuant to the authority set forth in section 407 of the Agricultural Act of 1949, as amended (7 U.S.C. 1427), and Executive Order 11336, I have determined that:

1. The chronic economic distress of the needy members of the Walker River and the Yomba Indian Lands in Nevada, the Sandia and San Felipe Indian Lands in New Mexico, and the Ute Mountain Indian Lands in Colorado, New Mexico and Utah, has been materially increased and become acute because of severe and prolonged drought creating a serious shortage of livestock feeds. These lands are reservations or other lands designated for Indian use and are utilized by members of the Indian tribes for grazing purposes.

2. The use of feed grain or products thereof made available by the Commodity Credit Corporation for livestock feed for such needy members of the tribes will not displace or interfere with normal marketing of agricultural commodities.

Based on the above determinations, I hereby declare the reservations and grazing lands of these tribes to be acute distress areas and authorize the donation of feed grain owned by the Commodity Credit Corporation to livestockmen who are determined by the Bureau of Indian Affairs, Department of the Interior, to be needy members of the tribe utilizing such lands. These donations by the Commodity Credit Corporation may commence upon signature of this notice and shall be made available through the duration of the existing emergency or to such other time as may be stated in a notice issued by the Department of Agriculture.

Signed at Washington, D.C. on January 6, 1975.

EARL L. BUTZ,
Secretary.

[FR Doc.75-992 Filed 1-10-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

COMPUTER PERIPHERALS, COMPONENTS AND RELATED TEST EQUIPMENT TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that a meeting of the Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee will be held on Thursday, February 20, 1975, in Room 5230, Main Commerce Building, 14th and Constitution Avenue NW, Washington, D.C.

The Committee was established to advise the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer peripherals, components and related test equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee meeting agenda has five parts:

GENERAL SESSION

(1) Opening remarks by the Chairman.

(2) Presentation of papers or comments by the public.

(3) Discussion of the report on transfer of technology.

(4) Discussion of the function of the Department of Defense in reviewing both U.S. and foreign export license applications.

EXECUTIVE SESSION

(5) Discussion of matters properly classified under Executive Order 11652, dealing with the United States and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available to the public. Written statements may be submitted at any time before or after the meeting.

On December 16, 1974, the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined, pursuant to section 10(d) of the Federal Advisory Committee Act, that those portions of the series of meetings of the Committee and of any subcommittees thereof that will involve discussions of matters listed in 5 U.S.C. 552 (b)(1) and specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such executive order, shall be exempt, for the period January 4, 1975, to January 3, 1976, from the provisions of section 10 (a)(1) and (a)(3) of the Act, relating to open meetings and public participation therein.

Agenda item (5) will be devoted to the discussion of matters listed in 5 U.S.C. 552(b)(1) and properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto. Accordingly, pursuant to the aforementioned determination this portion of the meeting will be closed to the public. All Committee members have appropriate security clearances.

Minutes of the open portion of the meeting will be available upon written request addressed to the Central Reference and Records Inspection Facility, Room 7043, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al., September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the meetings of the Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee and of any subcommittees thereof is hereby published.

Dated: January 8, 1975.

RAUER H. MEYER,
Acting Director,
Bureau of East-West Trade.

NOTICE OF DETERMINATION

In response to written requests of representatives of a substantial segment of the computer industry, the Computer Peripherals, Components and Related Text Equipment Technical Advisory Committee was established by the Secretary of Commerce pursuant to section 5(c)(1) of the Export Administration Act of 1969, 50 U.S.C. App. section 2404(c)(1) (Supp. III, 1973), as amended, Pub. L. 93-500, section 5(b) (October 29, 1974), to advise the Department of Commerce with respect to questions involving technical matters, worldwide availability, and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer peripherals, components, and related test equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee, which currently has seventeen members representing industry and eight members representing government agencies, will terminate no later than January 3, 1977, unless extended by the Secretary of Commerce. All members of the Committee have the appropriate security clearance.

The Committee's activities are conducted in accordance with the provisions of section 5(c)(1) of the Export Administration Act of 1969, as amended, the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), and Office of Management and Budget Circular A-63 (Revised), Advisory Committee Management, effective May 1, 1974. Section 10 of the Federal Advisory Committee Act provides, among other things, that the meetings of advisory committees are to be open to the public, and to public participation, unless the head of the agency (or his delegate) to which the committee reports determines in writing that all, or some portion, of the agenda of the meeting of the committee is concerned with matters listed in section 552(b) of Title 5 of the United States Code.

Section 552(b)(1) of Title 5, United States Code, provides that information may be withheld from the public if it concerns matters specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy.

Notices of Determination authorizing the closing of meetings, or portions thereof, of the Computer Peripherals, Components, and Related Test Equipment Technical Advisory Committee and its formal subcommittees, dealing with security classified matters, were approved on June 18, 1973 for the meeting of July 9, 1973; on July 17, 1973 for the meeting

of July 25, 1973; on August 21, 1973 for a series of meetings from August 21, 1973 through December 31, 1973; on December 26, 1973 covering a series of meetings for the period January 1, 1974 through April 30, 1974; and on May 16, 1974, covering a series of meetings from May 1, 1974 through January 3, 1975.

In order to provide advice to the Department under the terms of its charter, the Committee and formal subcommittees thereof will continue to hold a series of meetings dealing with the matters set forth in the first paragraph of this Determination. These meetings will include discussions of the COCOM control list as it relates to the commodities and technical data under its purview, and with the foreign availability of these commodities and technical data. In addition, the Committee and its formal subcommittees will be preparing recommendations for the Department's consideration relating to the U.S. Government's negotiating position on COCOM-related matters. Much of the information relating to the COCOM control list, as well as proposed changes, is now or will be security classified for national security or foreign policy reasons, pursuant to Executive Order No. 11652, 3 CFR 339 (1974). In order for the Committee and its formal subcommittees to provide required advice to the U.S. Government, it will be necessary to provide the Committee and its formal subcommittees with such classified material. Therefore, the portions of the series of meetings of the Committee and of subcommittees thereof that will involve discussions of matters specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such executive order, must be closed to the public. The remaining portions of the series of meetings will be open to the public.

Accordingly, I hereby determine, pursuant to section 10(d) of the Federal Advisory Committee Act that those portions of the series of meetings of the Committee and of any subcommitees thereof, dealing with the aforementioned classified materials shall be exempt, for the period January 4, 1975, to January 3, 1976, from the provisions of section 10 (a) (1) and (a) (3), relating to open meetings and public participation therein, because the Committee and subcommittee discussions will be concerned with matters listed in section 552(b) (1) of Title 5, United States Code. The remaining portions of the meetings will be open to the public.

Dated: December 16, 1974.

GUY W. CHAMBERLIN, Jr.,
Assistant Secretary for Administration.

Dated: December 12, 1974.

ALFRED MEISNER,
General Counsel.

[FR Doc.75-993 Filed 1-10-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services Administration

MATERNAL AND CHILD HEALTH RESEARCH GRANTS REVIEW COMMITTEE

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), the Administrator, Health Services Administration, announces the meeting dates and other required information for the following National Advisory body scheduled to assemble during the month of February 1975:

Committee name and date/time/place	*Type of meeting and/or contact person*
Maternal and Child Health Research Grants Review Committee, Feb. 13 and 14, 1975—9 a.m., Parklawn Bldg., Conference Room L, 5600 Fishers Lane, Rockville, Md.	Open—Feb. 13—9-10 a.m., Closed—remainder of meeting. Contact: Gloria Wackernah, room 12A-08, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. Code 301-443-2190.

Purpose: The Committee is charged with the review of all research grant applications in the program areas of maternal and child health administered by the Bureau of Community Health Services.

Agenda: The Committee will be performing review of grant applications for Federal assistance. This meeting will be open to the public from 9 to 10 on February 13 for the Opening Remarks. The remainder of the meeting will be closed to the public for the review of grant applications for Federal assistance, in accordance with the provisions set forth in section 552(b)(4), Title 5 U.S. Code and the Determination by the Administrator, Health Services Administration, pursuant to Pub. L. 92-463, section 10(d).

Agenda items are subject to change as priorities dictate.

That portion of the meeting so indicated, is open to the public for observation and participation. Anyone wishing to participate, obtain a roster of members, or other relevant information, should contact the person listed above.

Dated: December 31, 1974.

ANDREW J. CARDINAL,
Associate Administrator for Management, Health Services Administration.

[FR Doc.75-755 Filed 1-10-75;8:45 am]

Office of Education

FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Statement of Organization

Part 2 (Office of Education) Section 2-B, Organization and Functions, of the Statement of Organization, Functions and Delegations of Authority for the Department of Health, Education, and Welfare is hereby amended to attain the purposes of the Education Amendments of 1974, Section 519, by establishing an Office of Libraries and Learning Resources. Therefore, the statement published in the FEDERAL REGISTER on April 26, 1974 at 39 FR 14738, 14739 is hereby amended as follows:

The Statement under the heading Bureau of School Systems is amended by addition of a new statement immediately preceding the title of the Division of Education for the Disadvantaged to read as follows:

OFFICE OF LIBRARIES AND LEARNING RESOURCES

Administers programs to improve public library services and library construction to strengthen library resources, support training of library personnel and acquisition of equipment to improve instructional programs. Administers programs to support acquisition of school library resources and instructional equipment and support research and demonstrations in library and information science. Administers all programs in the Office of Education related to assistance for, and encouragement of libraries and information centers and education technology.

The statement under the heading Bureau of Postsecondary Education, Division of Library Programs and the heading "Division of Library Programs" are deleted in their entirety.

Dated: December 30, 1974.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75-1027 Filed 1-10-75;8:45 am]

Office for Civil Rights

NONDISCRIMINATION IN HIGHER EDUCATION EMPLOYMENT

Memorandum by Director

The following memorandum by the Director, Office for Civil Rights, dated December 1974, has been addressed to all College and University Presidents:

MEMORANDUM TO COLLEGE AND UNIVERSITY PRESIDENTS

The Office for Civil Rights (OCR) has responsibility for the enforcement of Executive Order 11246, as amended, with respect to employment at colleges and universities which hold Federal contracts. Under the Executive Order, Federal contractors, including institutions of higher education, are prohibited from discriminating against any person on the basis of race, color, religion, sex, or national origin in recruitment, selection, promotion and any other employment practices and procedures. Further, contractors are required by the Executive Order to "take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin." (Section 202(1)) Such affirmative action shold be designed to expand employment opportunities for women and minorities and to eliminate those policies and practices which have had the effect of excluding or limiting female and minority group employment.

Further, under Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, both of which are within the compliance jurisdiction of the Office for Civil Rights, educational institutions which are recipients of Federal financial assistance must ensure nondiscrimination. Under Title VI the recipients of Federal financial assistance may not discriminate on

the basis of race, color, or national origin. Title VI prohibits employment discrimination only to the extent that such discrimination tends to exclude individuals or deny them the benefits of Federal financial assistance. With certain exceptions, Title IX prohibits discrimination based on sex in federally assisted education programs or activities. It extends to all employment practices of a covered institution. While the Executive Order coverage is extended only to those institutions which are Federal contractors, Title VI and Title IX reach all of the nation's higher education institutions which receive Federal financial assistance. Whereas affirmative action in employment is expressly required under the Executive Order, even in the absence of a finding of specific discrimination by the institutions, it is not required under Title VI or Title IX. However, voluntary affirmative action is permitted under both Title VI and Title IX "* * * to overcome the effects of conditions which resulted in limiting participation by persons of a particular race, color, national origin, or sex."

It should be noted that where there has been a specific finding of discrimination under the Executive Order, Title VI or Title IX, specific remedial or corrective action is required. Remedies in these cases are tailored to the specific wrong which has occurred. This memorandum is not intended to apply to corrective actions undertaken pursuant to a specific finding of discrimination.

This Office, in October 1972, issued Higher Education Guidelines which set forth the compliance responsibilities of colleges and universities under the Executive Order. In the time during which the Guidelines have been in effect, OCR has been faced with determining the permissibility of many common practices designed to effect compliance with the Executive Order. The purpose of this Memorandum is to encourage resort to positive affirmative action steps by setting forth concrete examples designed to distinguish such positive steps from others which might conflict with nondiscrimination requirements.

At the outset, certain general principles should be made clear. Colleges and universities are entitled to select the most qualified candidate, without regard to race, sex, or ethnicity, for any position. The college or university, not the Federal Government, is to say what constitutes qualification for any particular position. No single appointment will be objected to where those not appointed are less well-qualified than the candidate actually selected.

RECRUITMENT FOR EMPLOYMENT VACANCIES MUST BE UNDERTAKEN WITHOUT DESIGNATION OR IDENTIFICATION BY RACE, SEX, OR ETHNICITY

As defined on page five of the Guidelines, "[r]ecruitment is the process by which an institution or department within an institution develops an applicant pool from which hiring decisions are made." As indicated on page six of the Guidelines, a contractor must make an explicit statement of its commitment to equal employment opportunity in all recruiting announcements and advertisements, and it may do so by specifying that it is an "equal opportunity employer." There is a caveat:

> It is a violation of the Executive Order, however, for a prospective employer to state that only members of a particular minority group or sex will be considered.

A major purpose of the affirmative action provision of the Executive Order is to broaden the pool of applicants so that women and minorities will be considered for employment along with all other applicants. The affirmative action process must not operate to restrict consideration to minorities and women only. Acceptable nonrestrictive language designed to broaden the pool of applicants would be:

> The English Department of X University is subject to the requirements of Executive Order 11246 and is an affirmative action employer. All interested persons are encouraged to apply.

It would, however, be unacceptable to state that "women and minorities are preferred" or "this is an affirmative action position." Status as a member of any specific group should not be mentioned in any advertisement as preferred.

The type of announcement which identifies the category of applicants who will be considered on the basis of race and/or sex would be unacceptable because it has the effect of discouraging the candidacy of other categories of persons. Therefore, it would be unacceptable for an announcement to read:

> Pursuant to our affirmative action plan establishing goals for the employment of women and minorities, the English Department of X University is seeking to fill this position with a woman.

Of course, under the Executive Order, all employment advertising must contain a statement that the institution is an equal opportunity employer.

It has been suggested that a position might be designated on the basis of race or sex in order to meet an employment goal. This would be in violation of the nondiscrimination provisions of the Executive Order. The following case represents an example of an improper interpretation of the affirmative action obligation:

> For the past four years, the Mathematics Department of X University has been operating under an affirmative action program. Although its goal for hiring women was established at 20 percent over a five-year period, during the past four years, each of four vacancies has been filled by a male. At an annual professional association conference, the department chairman informed a male applying for a fifth vacant position that he could not be given consideration regardless of his qualifications because Federal regulations require the department to fill the position with a woman.

The Mathematics Department has violated its equal employment opportunity obligations by designating the vacancy as a position for a woman, or as one in which a woman would be preferred, thereby excluding all other categories of applicants from consideration. Such action is forbidden by the Executive Order, and it is improper to suggest or to act on the assumption that Federal affirmative action provisions require that any particular position be filled by a woman or minority person.

The Mathematics Department has misunderstood the nature of goals. Goals are good faith estimates of the expected numerical results which will flow from specific affirmative actions taken by a college or university to eliminate and/or counteract factors in the university's employment process which have contributed to underutilization of minorities and women in specific job categories or resulted in an adverse disproportionate impact in terms of promotion, compensation and training of currently employed minorities and women. They are not rigid and inflexible quotas which must be met. Nor should a university strive to achieve goals as ends in themselves, for "[n]o contractor's compliance status shall be judged alone by whether or not he reaches his goals and meets his timetables. Rather, each contractor's compliance posture shall be reviewed and determined by reviewing the contents of his program, the extent of his adherence to this and his good faith efforts * * *" (41 CFR 60-2.14, known as "Revised Order No. 4")

The Mathematics Department must be able to demonstrate clearly that it has adhered to its affirmative action obligation by making a full and good faith effort to recruit and consider women for each of the five vacancies. If the Department is able to make this demonstration, its inability to meet its employment goal would not be deemed a violation of its affirmative action obligation. However, a failure by the Mathematics Department to make a sufficient good faith effort to recruit and consider women and minority candidates for the four earlier openings would constitute a violation of the Executive Order regulations.

As noted on page seven of the Guidelines, minorities and women are often sought to fill positions in women's and ethnic studies programs. Consider the following example, which would constitute a violation of the Executive Order:

> A job description for an instructor position for a University's Black Studies Program, included, as job requirements, the ability to bring special insights to the course material and the ability to relate well to the large number of black students attracted by the program. The Dean of Arts and Sciences decided that only a black person could meet these requirements. When questioned by a white applicant, the Dean defended the selection of a black person on the grounds that race was a necessary element for the proper performance of the job.

While the university established job requirements to answer what it deemed as its special needs for the Black Studies Program, its actions amounted to giving

exclusive consideration to candidates on the basis of race. Such action results in the restriction of the applicant pool and is a violation of the Executive Order.

In this case, the job requirements themselves (ability to relate to students, special insights, etc.) do not limit the applicant pool on the basis of race and do not by their own terms prohibit nonminorities from applying or being employed. However, it is the university's assumption that only a black person can meet the job requirements and serve as an instructor in a successful Black Studies Program which brings the university into violation of the Executive Order.

II. If an Institution has Failed to Follow its Affirmative Action Recruitment Procedure or if its Recruitment Efforts do not Yield an Expanded Applicant Pool, the Recruitment Period for all Candidates may be Extended

The Guidelines, on pages 5–7, set forth a specific framework to which the recruitment process should conform. An institution or institutional department must develop a nondiscriminatory applicant pool from which hiring decisions are made, and failure to do so constitutes a violation of the Executive Order. Consider the examples which follow:

A. The Psychology Department of X University was given a period of two months to fill a vacancy on its clinical teaching staff. Prior to beginning its recruitment efforts, the Department received the unsolicited application of a qualified white male applicant, and made no further efforts to recruit for the position. Shortly before the two-month period was up, the nomination was sent to the Vice Chancellor for approval as a choice candidate. On the advice of the affirmative action monitoring committee, the Vice Chancellor rejected the nomination on the ground that the Department had failed to make adequate attempts to reach female and minority applicants, and required that the recruitment search be reopened and extended for another month.

The obligation to take specific steps to recruit applies even in instances where a university has not previously made a practice of active recruiting. Hence, even though it had received an unsolicited application from a person who was qualified, the Department's failure to recruit and consider women and minorities constitutes a violation of the Executive Order. In such case, further action is required under the Executive Order and the Vice Chancellor's decision to extend the period for recruitment does not amount to an abuse of the affirmative action process with respect to the Department's first choice, who will be subjected to greater competition for the job.

B. In seeking to fill an academic position, the English Department took the recruitment steps required under its affirmative action plan. At the end of the recruitment period, during which time it had not received the applications of any women or minorities, the Department nominated one of the white male applicants as its first choice. Although the Vice Chancellor noted that good faith efforts to recruit women and minorities had been made, he required the Department to extend the recruitment period for another month during which period additional specified efforts were to be made to reach available women and minority applicants.

In carrying out an affirmative action plan, the period for recruitment may be extended, particularly where a utilization analysis indicates that the percentage of women and minorities recruited is substantially less than the percentage of qualified women and minorities available in the work force. In such cases, additional positive recruitment efforts may be undertaken to broaden the applicant pool to include qualified women and minorities. OCR would approve (but not require) the decision to keep open competition for the position. But it must be emphasized again that nothing in an affirmative action plan requires the employment of any specific number of women or minorities.

Thus, if the Department can demonstrate that it has taken all recruitment steps required under its affirmative action plan—and even though no (or very few) applications have been received from women and minorities—there would be no requirement that the recruitment period be extended, as in the following example:

C. The Physics Department took all the affirmative recruitment steps called for by the university's affirmative action plan, and advertised the opening for several months. At the end of that time, no women and no minority candidates had applied and the recruitment procedure was concluded.

The Department was justified in ending the recruitment period, inasmuch as it had done everything possible to publicize the opening for a reasonable period of time.

III. Job Requirements Must be Applied Uniformly to all Candidates Without Regard to Race, Color, Sex, Religion, or National Origin.

The Guidelines stress the need for standardized employment practices that minimize the opportunity for arbitrary and/or discriminatory hiring decisions. It is not intended that affirmative action should result in a dilution of standards in order to attain the objectives of the Executive Order. Consider the example of the following institution, which violated the Executive Order:

Because of the small size and location of X University, its History Department had experienced considerable difficulty in recruiting women and minorities for several teaching positions in the past. Consequently, the department chairman, with the support of his faculty and administration, waived the Ph.D. requirement for those women or minorities who wished to apply for the vacant Associate Professor position but retained the requirement for males or non-minorities applying for the same position and for all other positions.

The Executive Order does not require that job requirements be waived or lowered in order to attract women and minority candidates. Indeed, it expressly forbids differential standards based on race, color, sex, religion or national origin. Further, it requires that once valid job requirements are established, they must be applied equally to all candidates. It is discriminatory for such requirements to be applied selectively on the basis of race, color, religion, sex, or national origin. Thus, the history department must either waive the Ph.D. requirement for all applicants (without regard to race or sex) or maintain it for all applicants.

IV. A Job Requirement Which Results in a Disproportionate Impact Upon Minorities and/or Women Can Be Maintained Only if it is Job-Related

As the Guidelines make very clear (page 4), the Executive Order does not require an institution to eliminate or dilute legitimate employment standards by which to measure prospective employees. On the other hand, no standards or criteria which have, by intent or effect, worked to exclude women and minorities as a class can be utilized, unless the institution can demonstrate the necessity of such standards to the performance of the job in question. For example:

X Law School has established a Teaching Fellows Program which is responsible for the administration of the law school's clinical practice program. The requirement for Teaching Fellows includes holding a graduate law degree as well as an LL.B or J.D. Degree. In analyzing its workforce for its affirmative action program, the law school learns that this job requirement disproportionately excludes blacks from consideration for the Teaching Fellows positions.

In order to continue the requirement for a graduate law degree, the law school must demonstrate that the requirement is related to successful job performance. If the law school is able to demonstrate that the skills and knowledge acquired through the advanced law degree are necessary for effective job performance, the job requirement can be maintained. On questions relevant to the validity of the requirement, the opinion or testimony of persons experienced in the conduct of legal aid clinics will be given substantial weight by HEW.

V. A University is Required To Obtain Information on the Race, Sex, and Ethnic Identity of Applicants for Employment.

The Executive Order establishes the principle that Federal contractors, including colleges and universities, are required to collect and maintain data on the race, sex and ethnic identity of all applicants for employment.

The collection and analysis of such data is recognized as an essential means of providing both the institution and the Federal Government with the information necessary to monitor the compliance posture of the institution. In the case of universities and colleges, the collection of such data is particularly essential for the workforce analysis required by Revised Order No. 4. Each institution must adopt safeguards to ensure that such information cannot be used as a basis for discrimination.

Preserving the anonymity of applicants in the collection of applicant flow data can be accomplished by gathering the requisite race, sex, and ethnic data separately from the application form. Furthermore, applicants should be instructed not to identify themselves by name or number on this form. If the institution wishes to determine applicant response for a particular position, the data form may be coded by position, as long as it does not individually identify any applicant.

This document is intended to help clarify areas of confusion which have arisen during the implementation of contractor requirements set forth in the Executive Order regulations. This Memorandum should be circulated among all members of your administrative staffs. Experience of the recent past seems to indicate that much of the existing confusion over affirmative action requirements has resulted from an absence of clear lines of communication concerning Federal regulations. It is most important that all officials charged with recruiting and hiring responsibilities have a clear understanding of the Higher Education Guidelines and that they ensure that institutional employment conform to the provisions of those Guidelines.

Additional copies of this Memorandum may be obtained from the Regional Office for Civil Rights in your area, or from the Office for Civil Rights, Department of Health, Education, and Welfare, Washington, D.C. 20201. Requests for technical assistance and inquiries relating to development and implementation of affirmative action programs should also be addressed to these Offices.

Thank you for your continuing cooperation.

Dated: January 7, 1975.

PETER E. HOLMES,
Director,
Office for Civil Rights.

[FR Doc.75-1026 Filed 1-10-75;8:45 am]

Social and Rehabilitation Service

FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Statement of Organization

Part 5 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare, Social and Rehabilitation Service (34 FR 1279, January 25, 1969, as amended), is hereby further amended to reflect reorganization of the Regional Offices of the Social and Rehabilitation Services. For such purposes, Section 5-B is amended as follows:

Delete "Regional Organization" (34 FR 1289, January 25, 1969) and all that follows under that heading, to and including the statement for the Regional Commissioner. Substitute therefor the following.

REGIONAL ORGANIZATION

There is a Social and Rehabilitation Service Regional Office in each of the Department of Health, Education, and Welfare's ten Regions. Each of these Offices is under the direction of a Regional Commissioner who reports to the Administrator. The Regional Commissioner directs and controls all SRS programs, personnel funds and resources.

OFFICE OF THE REGIONAL COMMISSIONER 5M8

Approves state plans for SRS programs; interprets program and financial regulations and policy issued by the Administrator, SRS; monitors the activity of counterpart agencies in order to maintain a general awareness of program directions and adherence to SRS regulations; evaluate specific programs of counterpart state agencies within a qualitative and focused context; provides assistance to state counterpart agencies concerning program and financial activity; carry out regional responsibilities for manpower development and training and research and demonstration activities; solicits and submits state policy suggestions and information, generated by the Regional Office evaluation and monitoring activities, into the development of national objectives, policy, regulations, legislation and budget; initiates the implementation of new regulations issued by the Administrator, SRS; provides special overview and assistance to state counterpart agencies for implementing major management initiatives required by SRS regulations; reviews and approves formula grant awards and expenditures; conducts financial reviews of state agency use of formula grant funds; administers, under delegation of authority, project grants; promotes SRS information needs with state agencies and works to insure quality of information submitted; provides input to Regional Director in the fulfillment of his responsibilities; coordinates with the other Federal agencies as necessary and manages OPS objectives; directs internal management and coordinates administrative activity.

INFORMATION SYSTEMS STAFF

Serves as the principal source of advice to the SRS Regional Commissioner and his staff on MIS matters and ADP related problems affecting SRS programs within the region; constitutes primary point of contact with State and local agencies in identifying their MIS and ADP needs in recommending action to meet those needs; provides reports of State MIS and equipment acquisition activity to AAIS; reviews State applications and makes recommendations to AAIS and the Regional Commissioner relating to Federal participation in the costs of State MIS activities; promotes compliance of State and local information systems with SRS standards, guidelines and plans; monitors State compliance with Federal statistical reporting requirements, and reviews reports for consistency and reasonableness; conducts on-site evaluation of State and local agency systems to insure that equipment and systems are operating effectively; provides technical assistance to States in all areas of MIS activity; collaborates in the development of regional data and forecasting systems and operates such regional systems; coordinates systems outputs with Office of Program Operations, Evaluation and Management.

OFFICE OF ASSISTANCE AND SERVICES PROGRAM OPERATIONS 5M8-10

Servies as the primary source of assistance to the Regional Commissioner in developing interpretations of the Public Welfare and Medicaid program regulations and in communicating them to counterpart state agencies; reviews and recommends approval/disapproval of state plans and state plan amendments; provides assistance to state agencies in developing state plans and plan amendments; monitors state agency operations in order to maintain a broad awareness of program activity; stimulate state action toward achievement of selected program objectives; assists states in the maintenance of ongoing program activities; coordinates closely with the Information Systems Staff (Office of the Regional Commissioner) in promoting information; provides support to other regional office components as necessary; the major programmatic responsibilities of the Office are Social Services, Assistance Payments, Medical Services and WIN.

OFFICE OF MANAGEMENT 5M8-11

Stimulates state action in achieving selected management objectives and works with states in assuring successful follow-through; conducts financial reviews of state agency programs and recommends changes as appropriate; reviews public assistance formula grant award requests and expenditure reports and recommends approval/disapproval to the Regional Commissioner; provides technical assistance to states in financial management areas; resolves audits with states; provides project grants administration services to program areas; responsible for the implementation and operation of major management initiatives such as quality control and utilization review; provides for state and regional financial management input to operational plans, policy, regulations, legislation and budget formulation; provides support to other regional office components as appropriate; monitors state compliance with federal financial report requirements.

OFFICE OF EVALUATION 5M8-12

Identifies specific state programs for evaluation; conducts evaluation of specific state programs using criteria developed in the Central Office; advises states and SRS program components on the results of evaluations and proposes corrective action when necessary; based on evaluation results and state agency policy suggestions, provides input to operational plans, policy, regulation, legislation and budget formulation; provides support to other regional office components as appropriate.

Dated: January 6, 1975.

JOHN OTTINA,
Assistant Secretary for
Administration and Management.

[FR Doc.75-1028 Filed 1-10-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD-246, (FDAA-455-DR)]

PUERTO RICO

Amendment to Notice of Major Disaster

Notice of Major Disaster for the Commonwealth of Puerto Rico, dated December 2, 1974, and amended December 16, 1974, is hereby amended to include the following municipality among those municipalities determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of November 30, 1974:

The Municipality of:
Vieques

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: January 7, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.75-1003 Filed 1-10-75;8:45 am]

[Docket No. NFD-245; FDAA-454-DR]

TEXAS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Texas, dated November 30, 1974, is hereby amended to include the following county among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of November 30, 1974:

The County of:
Falls

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: January 6, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.75-1004 Filed 1-10-75;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. P-507-A]

NEW YORK STATE ELECTRIC AND GAS CORP.

Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c. of the Atomic Energy Act of 1954, as amended, the following advice from the Attorney General of the United States, dated December 27, 1974:

Pursuant to section 105c(8) of the Atomic Energy Act of 1954, as amended by P.L. 91-560, the Atomic Energy Commission has requested antitrust advice with respect to the above-captioned application to construct the Somerset Power Project, Nuclear Units 1 and 2 (AEC Docket No. P-507-A). By this application New York State Electric and Gas Corporation requests a permit to construct nuclear power facilities to be located in the Town of Somerset, Niagara County, New York.

After examination of the application and review of relevant data, we conclude that the activities proposed under the license applied for by New York State Electric and Gas Corporation, as described in the application, would not create or maintain a situation inconsistent with the antitrust laws. We express no opinion, however, concerning the legality under the antitrust laws of the manner in which, or any arrangements pursuant to which, the plants will be operated, should they differ from or extend beyond those matters specifically disclosed in the company's application.

Any person whose interest may be affected by this proceeding may pursuant to § 2.714 of the Commission's Rules of Practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by February 12, 1975, either (1) by delivery to the AEC Public Docketing and Service Section at 1717 H Street, N.W., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, ATTN: Docketing and Service Section.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust and Indemnity, Directorate of Licensing.

[FR Doc.75-909 Filed 1-10-75;8:45 am]

[Docket No. 50-485A]

ROCHESTER GAS AND ELECTRIC CORP.

Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, the following advice from the Attorney General of the United States, dated December 27, 1974:

Pursuant to section 105c(8) of the Atomic Energy Act of 1954, as amended by P.L. 91-560, the Atomic Energy Commission has requested antitrust advice with respect to the above-captioned application to construct the Sterling Power Project, Nuclear Unit No. 1 (AEC Docket No. STN 50-485A). By this application Rochester Gas and Electric Corporation requests a permit to construct nuclear power facilities to be located in the Town of Sterling, Cayuga County, New York.

After examination of the application and review of relevant data, we conclude that the activities proposed under the license applied for by Rochester Gas and Electric Corporation, as described in the application, would not create or maintain a situation inconsistent with the antitrust laws. We express no opinion, however, concerning the legality under the antitrust laws of the manner in which, or any arrangements pursuant to which, the plant will be operated, should they differ from of extend beyond those matters specifically disclosed in the company's application.

Any person whose interest may be affected by this proceeding may pursuant to § 2.714 of the Commission's Rules of Practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by February 12, 1975, either (1) by delivery to the AEC Public Docketing and Service Section at 1717 H Street, N.W., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, ATTN: Docketing and Service Section.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust and Indemnity, Directorate of Licensing.

[FR Doc.75-910 Filed 1-10-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27290]

CANADIAN PACIFIC AIR LINES, LTD. (CP AIR)

Vancouver-San Francisco Route; Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on February 6, 1975, at 10 a.m. (local time), in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Burton S. Kolko.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before January 24, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., January 7, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1046 Filed 1-10-75;8:45 am]

[Docket No. 27203]

CENTRAL B. C. AIR SERVICES, LTD.

Charter Permit, Canada-United States; Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on February 10, 1975, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW, Washington, D.C., before Administrative Law Judge William A. Kane, Jr.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before January 31, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C. January 7, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1047 Filed 1-10-75;8:45 am]

[Docket No. 27233]

KUONI TRAVEL, LTD. (SWITZERLAND)

Foreign Indirect Air Carrier Permit Renewal; Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on February 20, 1975, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Burton S. Kolko.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before February 7, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., January 7, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1048 Filed 1-10-75;8:45 am]

[Docket No. 26877]

OVERSEAS NATIONAL AIRWAYS, INC., ET AL.

Enforcement Proceeding; Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on February 25, 1975, at 10 a.m. (local time) in Room 1031, North Universal Building, 1875 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Alexander N. Argerakis.

Dated at Washington, D.C., January 7, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1049 Filed 1-10-75;8:45 am]

[Docket No. 27216]

PACIFIC WESTERN AIRLINES, LTD.

Vancouver-Seattle Route; Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on January 27, 1975, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge William A. Kane, Jr.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before January 17, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., January 7, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1050 Filed 1-10-75;8:45 am]

[Order 75-1-28; Docket Nos. 27114, 27253, 27254, 27255, 27323, 27205, 27206, 27207, 27299, 27300, and 27321]

PAN AMERICAN WORLD AIRWAYS, INC. AND TRANS WORLD AIRLINES, INC.

Order Amending Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 7th day of January, 1975.

Application of Pan American World Airways, Inc. and Trans World Airlines, Inc. for approval of an agreement; application of Pan American World Airways, Inc. for temporary suspensions, exemptions, amended certificates and approved service plans; application of Trans World Airlines, Inc. for temporary suspensions, exemptions, amended certificates and approved service plans.

By Order 74-12-97, December 26, 1974, the Board, for procedural convenience, consolidated the applications of Pan American World Airways and Trans World Airlines (TWA) in the captioned dockets with the carriers' application for approval of an agreement in Docket 27114 and directed all interested parties to file answers to any or all of the applications by January 6, 1975. Pan American's application for amendment of its certificate for route 117 in Docket 27253 and TWA's application for amendment of its certificate for route 2 in Docket 27205 should have been dismissed rather than consolidated. These two applications, which pertain to Los Angeles-Hawaii authority, were superseded by the new applications and amendments filed on December 24 in Docket 27114 et al.

Accordingly, it is ordered That: 1. Ordering paragraph 3 of Order 74-12-97 be and it hereby is amended to delete "27253";

2. Ordering paragraph 4 of Order 74-12-97 be and it hereby is amended to delete "27205";

3. Order 74-12-97 be and it hereby is amended to add the following ordering paragraph:

6. The applications of Pan American World Airways for amendment of its certificate for Route 117 in Docket 27253 and Trans World Airlines for amendment of its certificate for Route 2 in Docket 27205 be and they hereby are dismissed.

4. This order shall be served upon all persons listed in Appendix A of Order 74-12-97.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-1051 Filed 1-10-75;8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary of Defense, Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1029 Filed 1-10-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Director, Office of Field Support, Housing Production and Mortgage Credit.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1030 Filed 1-10-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary—Energy and Minerals (Policy and Program Review), Office of the Assistant Secretary, Energy and Minerals.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1031 Filed 1-10-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary—Energy and Minerals (Energy), Office

of the Assistant Secretary—Energy and Minerals.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1032 Filed 1-10-75;8:45 am]

DEPARTMENT OF JUSTICE

Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, FR Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from Special Assistant for Public Relations, Director of Public Information, Office of Public Information, Office of the Attorney General to Director of Public Information, Office of Public Information.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1033 Filed 1-10-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Deputy Under Secretary, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1035 Filed 1-10-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1034 Filed 1-10-75;8:45 am]

DEPARTMENT OF THE TREASURY

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Deputy to Assistant Secretary, Office of Assistant Secretary (Economic Policy), Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-1036 Filed 1-10-75;8:45 am]

COMMISSION ON CIVIL RIGHTS

CALIFORNIA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the California State Advisory Committee (SAC) to this Commission will convene at 7:30 p.m. on February 21, 1975, at the Hilton Inn, San Francisco International Airport, (Room: Bay Shore #6), San Francisco, California 94128.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Western Regional Office of the Commission, Room 1015, 312 North Spring Street, Los Angeles, California 90012.

The purpose of this meeting is to discuss the preliminary open meeting to be held in Salinas, California as well as potential and tentative witnesses for open meeting.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-995 Filed 1-10-75;8:45 am]

NEW HAMPSHIRE STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Hampshire State Advisory Committee (SAC) to this Commission will convene at 7:30 p.m. on January 28, 1975, at the New Hampshire Highway Hotel, Concord, New Hampshire 03301.

Persons wishing to attend this meeting should contact the Committee Chairman or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss New Hampshire Prison Project, EEO State of New Hampshire, EEO City of Manchester.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-996 Filed 1-10-75;8:45 am]

NEW YORK STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New York State Advisory Committee (SAC) to this Commission will convene at 4 p.m., on January 30, 1975, at the Federal Building, 26 Federal Plaza, New York, New York 10007.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting of the Sex Discrimination Subcommittee is to discuss selection of a project.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-997 Filed 1-10-75;8:45 am]

NEW YORK STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New York State Advisory Committee (SAC) to this Commission will convene at 3 p.m., on January 28, 1975, at the Federal Building, 26 Federal Plaza, New York, New York 10007.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is a meeting of SUNY Subcommittee to discuss release of the Committee's report on the State University System.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 6, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-998 Filed 1-10-75;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

GATT ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Bilateral Discussions

JANUARY 7, 1975.

The Committee for the Implementation of Textile Agreements, as announced in its FEDERAL REGISTER notice of April 12, 1974, solicits comments on United States Government actions implementing the GATT Arrangement Regarding International Trade in Textiles, hereafter referred to as the Arrangement. In the April 12 notice the Committee announced that in the following 12 months bilateral discussions would be held to bring United States textile and apparel agreements into conformity with the Arrangement, and negotiations could be held to renew existing agreements or to reach new agreements. The notice invited the public to submit views or provide data or information on any or on all these agreements, the treatment of any product under them, or any other aspect of the agreements.

In accordance with the Arrangement, the Committee anticipates holding bilateral textile and apparel discussions by March 31, 1975, with the Governments of the following countries: Brazil, Colombia, Costa Rica, Czechoslovakia, Egypt, El Salvador, Greece, Hungary, Jamaica, Malta, Mexico, Philippines, Poland, Portugal, Romania, Spain and Yugoslavia.

Any party wishing to express a view or provide data or information with regard to the treatment of any product under the bilateral textile and apparel agreements with the above-named countries and any other aspects thereof, or with respect to imports of other textile products from these countries, is invited to submit such in ten copies to Mr. Alan Polansky, Acting Chairman of the Committee for the Implementation of Textile Agreements and Acting Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce, 14th and Constitution Avenue NW., Room 3826, Washington, D.C. 20230. To enable timely consideration, comments should be submitted at the earliest date possible.

Views, data or information submitted under this procedure will be available for public inspection at the Central Reference and Records Inspection Facility, U.S. Department of Commerce, 14th and Constitution Avenue NW., Room 7043, Washington, D.C. 20230 and may be obtained upon written request pursuant to the Freedom of Information Act, 5 U.S.C. 552 (1970), as amended, Pub. L. 93-502, (November 21, 1974) and the regulations of the Department of Commerce (15 CFR Part 4 (1974)). Whenever practicable, public comment may be invited concerning views, comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments on any negotiation, consultation, market disruption or any other matter pursuant to this notice is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) and 554(a)(4) (1970) relating to matters which constitute "a foreign affairs function of the United States".

ALAN POLANSKY,
Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance, Department of Commerce.

[FR Doc.75-977 Filed 1-10-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

List of Statements Received

Environmental impact statements received by the Council on Environmental Quality from December 30 through January 3, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (February 27, 1975). The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fred H. Tschirley, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250, (202) 447-3965.

FOREST SERVICE

Draft

Mineral King Development, Sequoia N.F. Tulare County, California, December 30: Proposed is the development of Mineral King, a 16,000 acre area of valley and surrounding mountainous terrain in the Sequoia National Forest. For intensified year-round recreational use. A "multi-modal" transportation system along the East Fork Kaweak River is also proposed, in order to provide improved access. A village providing service facilities will be located along Monarch Creek. A multi-tiered, 35 acre parking lot will provide capacity for 3,600 vehicles at Oak Grove. The statement discusses both "natural" and "social" impacts of the proposal. (ELR Order No. 41963.)

Final

Blanchard Springs Caverns Project, Stone County, Arkansas, December 30: The statement refers to the construction and development of Tours B and C of the Blanchard Springs Caverns project located in the Ozark National Forest. The Tours will consist of rest stops, a man-made exit, and indirect lighting. Supporting facilities will include road construction, hiking trails, campground construction, and sewage system expansion. Implementation of the project would probably eliminate the Caverns as a significant habitat for bats. Comments made by: USDA, COI, EPA, State agencies, and concerned citizens. (ELR Order No. 41961.)

Timber Management Plan, Kistachie, N.F. several counties, Louisiana, December 30: Proposed is the implementation of a 10-year timber management Plan for the Kistachie National Forest. The plan proposes even-aged forest management for general use, with provisions for modified silvicultural systems for special purposes. The estimated annual yields is 91.6 million board feet of sawtimber and 148.1 thousand cords of small round-wood products from an annual average cut area of 32,081 acres. There will be impact from the timber cutting, as well as from related road construction (60 pages). Comments made by: USDA, DOI, DOD, EPA, State and local agencies. (ELR Order No. 41962.)

SOIL CONSERVATION SERVICE

Draft

Ozan Creeks Watershed, Hempstead County, Arkansas, December 30: The statement refers to the Ozan Creeks Watershed Project in Hempstead County. The project will provide watershed protection and flood prevention by the application of conservation land treatment measures and by the installation of land stabilization measures and 22 floodwater retarding structures. Adverse impacts are use of 856 acres, conversion of 14 miles of natural streams to reservoir areas, 300 acres of bottom land hardwood may be converted to cropland, and increased sedimentation during construction. (ELR Order No. 41965.)

Lower Pine Creek Watershed Project, Contra Costa County, California, January 2: The statement refers to the Lower Pine Creek watershed protection, flood prevention and recreation project in Contra Costa County, California. The proposed project consists of conservation land treatment measures along with two earthfill multiple purpose dams with a common reservoir and basic recreational facilities, and forming a park area. Construction of the project will eliminate livestock grazing area and change the wildlife habitat at the site. There will also be temporary disturbances during construction. (ELR Order No. 50003.)

Bayou Plaquemine Brule Watershed, Acadia and St. Landry Counties, Louisiana, December 30: The proposed project is intended to provide flood protection for the town of Church Point and watershed protection, flood prevention, and drainage for Acadia and St. Landry Parishes. Project measures will include 229 miles of channel work and seven water control structures. As a result of project construction, 13,000 tons of sediment would be delivered to Boyou des Cannes; 654 acres of open land, 96 acres of wooded channel bank, and 90 acres of forest would be "disturbed" during construction. Some wildlife habitat, including habitat suitable for the alligator, will be lost. (ELR Order No. 41950.)

ATOMIC ENERGY COMMISSION

Contact: For Non-Regulatory Matters: Mr. W. Herbert Pennington, Office of Assistant General Manager, E-201, AEC, Washington, D.C. 20545, (301) 973-4241. For Regulatory Matters: Mr. A. Giambusso, Deputy Director for Reactor Projects, Directorate of Licensing, P-722, AEC, Washington, D.C. 20545, (301) 973-7373.

Draft

Pebble Springs Nuclear Plant, Units 1 and 2, Gilliam County, Oregon, January 2: Proposed is the granting of construction permits to the Portland General Electric Co. for the 2 unit Pebble Springs Plant. The plant will employ pressurized water reactors to produce total outputs of 7520 MWt and 2622 MWe. Exhaust will be cooled by a once-through flow of water from a 1900 acre man-made lake (with makeup water drawn from the Columbia River). The total site includes 8400 acres, of which 2045 acres will be removed from current use. (ELR Order No. 50002.)

DEPARTMENT OF DEFENSE
AIR FORCE

Contact: Dr. Billy Welch, Room 4D 873, The Pentagon, Washington, D.C. 20330, (202) OX 7-9297.

Draft

F-15 Beddown, Langley AFB, Virginia, January 3: Proposed is the beddown of an F-15 Tactical Fighter Wing at Langley AFB following the phase-out of 47 C-130 transport aircraft now at the base. There will be some alteration of existing facilities, as well as some new construction at the base. Principal impacts of the action relate to changes in the noise and air pollutants associated with the aircraft. (ELR Order No. 50021.)

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn.: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, SW., Washington, D.C. 20314 (202) 693-7168.

Draft

Savannah Harbor, Operation and Maintenance, Georgia, December 30: The statement discusses long-range maintenance of Savannah Harbor. The removal of approximately 7 million cu. yds. of material is necessary to maintain the authorized depth and width of the navigation channel. Several features of the proposal include construction and enlargement of ponding dikes, availability and potential capacity of existing disposal areas, ocean dumping, recycling of dredged materials, use of other ports, and continued research into new disposal methods. Adverse impacts include increased turbidity and suspended solids, loss of plankton and benthic organisms during dredging, and loss of aquatic and tidal wildlife habitat, and area economic loss. (ELR Order No. 41955.)

Frenchboro Harbor (Supplement), Maine, December 30: Proposed is the dredging of a 5 acre outer harbor anchorage, 1.5 inner harbor anchorage, and a six foot connecting channel. (This statement supplements an earlier final on the project, which was filed with CEQ in November, 1970.) (Waltham District). (ELR Order No. 41964.)

Tittabawassee River Flood Control, Michigan, December 30: The statement refers to the proposed flood control project on the Tittabawassee River at Midland. The plan consists of 17,300 ft. of channel widening and deepening in the Tittabawassee River; approximately 43,100 ft. of diking along the Chippewa and Tittabawassee Rivers; interior drainage facilities and modification to existing structures and utilities, a diversion channel from Sturgeon Creek to the Tittabawassee River; and a pump station at the mouth of Sturgeon Creek. Adverse impacts are the loss of land, destruction of benthic community, replacement of the natural setting with man-made structures, and an undetermined amount of area would be covered at the disposal site. (ELR Order No. 41953.)

Monroe Harbor, Maintenance Dredging, Michigan, December 30: The statement refers to the maintenance dredging which is to be performed at Monroe Harbor annually. It is anticipated that approximately 150,000 cu. yds. of polluted material will be removed in 1975 by the hopper dredge Hains and pumped through an 18-inch diameter pipe 2,600 ft. long into the clay disposal area owned by the Monroe Port Authority. Adverse impacts are increased turbidity and short-term decrease in water quality, and the disturbance of benthic organisms (Detroit District). (ELR Order No. 41954.)

Sterling State Park Harbor, Monroe County, Michigan, January 2: The proposed project involves the construction of a harbor of refuge at Sterling State Park. The plan consists of dredging an entrance channel in Lake Erie with an access channel, maneuvering area and anchorage basin in Sandy Creek. An access walkway for fishermen and sightseers will be constructed on the south breakwater. A 34 acre disposal site will be constructed near the anchorage basin. Adverse impacts are the loss of bottomland, loss of benthic organisms, increased water turbidity, and the interruption of the natural shoreline with man-made structures (Detroit District). (ELR Order No. 50011.)

Red Lake and Clearwater Rivers Project, Minnesota, January 2: The statement refers to the proposed continued operation and maintenance of the Red Lake and Clearwater Rivers. Project activities are designed to assure the effective use of the flood control and low-flow augmentation system by implementation of the Red Lake Dam and the Red Lakes reservoirs, and the modified channels along the Red Lake and Clearwater Rivers. Indian life in the area will be adversely affected by the loss of supplemental income due to the loss of trapping and guiding as income sources as well as the loss of food and hunting activity (St. Paul District). (ELR Order No. 50012.)

Toledo Harbor, Maintenance Dredging, Ohio, December 30: The statement refers to the annual maintenance dredging of Toledo Harbor. The average volume of material dredged is about 1,175,000 cu. yds. About 20% of the material is classified as clean and is disposed of at an open water site, whereas the remaining 80% is polluted and placed into a confined disposal island via pipeline from the hopper dredge. Adverse impacts are increased turbidity, and disturbance of benthic organisms (Detroit District). (ELR Order No. 41956.)

Cedar Bayou Channel, Maintenance Dredging, Chambers and Harris Counties, January 2: The project involves the continuation of maintenance of the existing Federal navigation project in Chambers and Harris Counties by periodic removal of shoaled materials. The authorized project consists of a 5.7 mile long shallow-draft channel from the Houston Ship Channel to mile 3.0 above the mouth of Cedar Bayou. Dredged materials will be placed in the open waters of Galveston Bay and in leveed land disposal areas. Adverse impacts include increased turbidity, degradation of water quality, loss of marine habitat, and possible objectionable odors as disposal sites become emergent (Galveston District). (ELR Order No. 50010.)

Lower Monumental Lock and Dam, several counties, Washington, January 2: The statement evaluates the essentially completed Lower Monumental Lock and Dam, a Snake River project which includes a navigation lock, a three unit hydroelectric spillway dam, and 6,590 surface acre lake. Project impacts relate to recreational uses, navigation, and the operation of fish passage facilities. Operational control of water release, in particular for "power peaking," results in related impacts (Walla Walla District). (ELR Order No. 50007.) (NTIS Order No. (none).)

Final

St. Charles Quarry Company, Inc., Missouri River, Missouri, January 2: The statement refers to the issuance of permits authorizing: (1) the past modification of and temporary occupation and use of COE Dike No. 31.65 for barge loading operations; (2) the completed construction and continued use of a piered conveyor system for sand unloading; and (3) past construction of an additional 800 feet. The permits would stipulate that the St. Charles Quarry Co., Inc. maintain the natural drainage of the downstream slough into the Missouri River. Adverse impacts include: displacement of fish and wildlife; potential damage from reduction of upstream flood protection; and, increased air and noise pollution (Kansas City District). Comments made by: USDA, HEW, HUD, DOI, USCG, DPA, AHP, U.S. Attorney, State agencies. (ELR Order No. 50006.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630 Waterside Mall, Washington, D.C. 20460, (202) 755-0940.

Final

Netarts-Oceanside Sanitary District, Tillamook County, Oregon, January 2: Proposed is a sewage treatment plant to be constructed in Tillamook County, Oregon near the small coastal community of Oceanside. The plant would discharge into the Pacific Ocean, thus eliminating the present seasonal discharge of partially treated wastes. EPA advises control of future development of the area. Comments made by: CEQ, COE, HEW, DOI, State and local agencies. (ELR Order No. 50009.)

FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Advisor on Environmental Quality, 441 G Street NW., Washington, D.C. 20426, (202) 386-6084.

Draft

Exxon Pipeline, Docket CP74-35, California, January 2: Proposed is the granting of a certificate of public convenience and necessity for the construction of a pipeline, onshore gas treatment facilities, and related facilities for the transportation of natural gas from Exxon's production platform in the Santa Ynez Unit, Santa Barbara Channel Area to proposed treatment facilities in Las Flores Canyon. According to the statement, environmental impact would occur with respect to "effects on man, wildlife, vegetation, beach areas, soil, water quality, air quality, and noise levels." (ELR Order No. 50008.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, (202) 343-4161.

Draft

John F. Kennedy Library, Cambridge, Massachusetts, January 2: Proposed is the construction of the John F. Kennedy Library on a 12 acre site in Cambridge. Also proposed is the Commonwealth Plaza, a 5 acre memorial, and Harvard University's John F. Kennedy School of Government and the Institute of Politics on a 2 acre adjacent site. The 49-ft. high library will contain 81,000 sq. ft. (gross) of floor area. Impacts of the project would include those of construction disruptions (2 volumes). (ELR Order No. 50001.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Acting Director, Office of Community and Environmental Standards, Room 7206, 451 7th Street SW., Washington, D.C. 20410, (202) 755-5980.

Final

Industrial Park Urban Renewal Area, Malden, Middlesex County, Massachusetts, January 2: Proposed is the urban renewal of sections of downtown Malden, Massachusetts. Included is the acquisition of property relocation of families and businesses, and reconstruction or new construction of roads, parking facilities, commercial structures, low and moderate income housing, the industrual park area, and related facilities. The greatest impact will result from commercial and residential relocations. Comments made by: DOT, DOC, EPA, HEW, AHP, HUD, State and local agencies, and concerned citizens. (ELR Order No. 50004.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

BUREAU OF OUTDOOR RECREATION

Final

Proposed Beaver Creek National Wild River, Alaska, January 2: The statement refers to the proposed legislative designation of a 135 mile segment of Beaver Creek and 200,000 adjacent acres as a component of the National Wild and Scenic River System, under the administration of the Bureau of Land Management. The overall effect of the action will be that of preserving the existing scenic, recreational, and water quality values of the river; existing primitive conditions will be maintained. Mining would be prohibited (400 pages). Comments made by: USDA, DOD, EPA, HEW, HUD, DOT, DOI, State and local agencies, and concerned citizens. (ELR Order No. 50017.)

BUREAU OF SPORTS FISHERIES AND WILDLIFE

Final

Proposed Crab Orchard Wilderness Area, Jackson, Union, and Williamson Counties, Illinois, December 30: Proposed is the legislative designation of 4050 acres of the Crab Orchard National Wildlife Refuge as wilderness within the National Wilderness Preservation System. Wilderness designation would commit the area to the forces of nature and remove some future management options. Comments made by: USDA, DOT, DOI, one regional agency. (ELR Order No. 41960.)

Proposed Agassiz Wilderness Area, Becker County, Minnesota, December 30: Proposed is the legislative designation of 4,000 acres of the Agassiz National Wildlife Refuge as wilderness within the National Wilderness Preservation System. The area would be committed to the forces of nature, with some future management options being removed. Comments made by: USDA, DOT, DOI. (ELR Order No. 41959.)

Lostwood Wildlife Refuge, Proposed Wilderness, Burke and Mountrail Counties, North Dakota, December 30: Proposed is the designation of 5,577 acres of the Lostwood Wildlife Refuge as wilderness within Preservation System. The area would be committed to the forces of nature, with some future management options being removed. (ELR Order No. 41952.)

NATIONAL PARK SERVICE

Final

Proposed Anikchak Caldera N.M. and Wild River, Alaska, January 2: The statement refers to the proposed Congressional establishment of the Anikchak Caldera National Monument and the Anikchak Wild River, both from lands and waters removed from public domain under provisions of the Alaska Native Claims Settlement Act. Also proposed is a master plan for the administration of the area (194 pages). Comments made by: DOI, DOT, DOD, USDA, DOC, EPA, state and local agencies. (ELR Order No. 50018.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 7th Street SW., Washington, D.C. 20590, (202) 426-4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

Routes 1 and I-105, Los Angeles County, California, January 2: The proposed improvement is the construction of I-105 as a 10-lane full access-controlled highway near Los Angeles International Airport, and construction of the Rte 1 State Freeway as a multi-lane end of freeway transition. The project length is 17.2 miles on Route 105 and 1.0 miles on Route 1. Adverse impacts include the relocation of 8100 persons and 240 businesses, increased air and noise pollution, and temporary construction disruptions. A 4(f) determination is necessary concerning park area in the project area. (ELR Order No. 50015.)

New Athens Bypass (F.A.P. Rte. 14), St. Clair County, Illinois, December 30: The project consists of a 4.9 mile relocation around New Athens, in St. Clair County, of a section of F.A.P. 14. Total right-of-way required is approximately 200 acres. Adverse impacts include the relocation of 7 families and 1 individual, and 2 businesses, loss of wildlife habitat and agricultural production, and a short-term decrease in business activity along the present route. (ELR Order No. 41957.)

I-83, Baltimore City, Baltimore County, Maryland, January 2: The project involves the construction of a six-lane, controlled access, elevated expressway known as I-83 between the interchange of Boston and O'Donnell Streets on the west and the interchange at I-95 on the east in Baltimore City. The most significant adverse impact resulting from the project will be increased noise levels. A 4(f) determination is necessary concerning Canton Playground. (ELR Order No. 50013.)

I-83, Iyay to Fleet Street, Baltimore, Maryland, January 2: The statement refers to the proposed construction of a 0.6 mile extension of I-83 in Baltimore City. The project is designed as a six-lane, limited access, elevated facility with two or four frontage roads parallel or beneath the elevated structure. Two alternatives within the same right-of-way corridor are considered for the final alignment. The project, regardless of alternate, will displace some industry, take some land from a recreation area, increase noise levels, and will alter aesthetics. A 4(f) statement is included regarding impacts on sites of historical, architectural and recreational significance in the area. (ELR Order No. 50014.)

I-391 Chicopee-Holyoke, Massachusetts, December 30: The statement refers to the proposed construction of I-391 for a distance of approximately 5 miles from Chicopee to Holyoke. The project will be a six-lane divided highway with shoulders including two six-lane river crossings. Adverse impacts are the displacement of 93 families and 17 businesses, increase noise levels, and temporary construction disruptions. (ELR Order No. 41958.)

Final

Route 9—Speen Street Interchange, Middlesex County, Massachusetts, January 2: Proposed is the construction of a grade separated highway interchange to replace the existing at-grade intersection at State Route 9 (FAP Route 47) and Speen Street in the Town of Natick. Route 9 will be depressed and Speen Street will be relocated at existing grade. Adverse impact include possible degradation of water quality in adjacent Lake Cochituate by increased deposition of salts and nutrients; and displacement of 20 businesses and four families. Comments made by: EPA, DOT, AHP, GSA, USDA, State and local agencies, and concerned citizens. (ELR Order No. 50016.)

U.S. COAST GUARD

Draft

Deepwater Port Regulations, January 3: The statement refers to proposed Federal regulations governing various aspects of the design, construction, and operation of Deepwater Ports, in implementation of the Deepwater Ports Act of 1974. The regulations generally address major design and construction criteria, oil transfer rules, navigation rules, personnel requirements, and equipment and procedures requirements. (ELR Order No. 50019.)

Final

Bridge, Atlantic Intracoastal Waterway at Daytona, Volusia County, Florida, January 3: Proposed is the approval of location and plans of a proposed 4-lane toll bridge and approaches on Plaza Boulevard and Flomich Street from the intersection of SR 5 (U.S. 1) eastward across the Halifax River to S.R. 3 (A-1-A). The project will displace 40 families, 20 businesses, divide an existing established residential neighborhood, change local land use from residential to commercial and result in a concentrated inflow of freshwater to the Halifax River. Comments made by: EPA, DOI, HUD, HEW, FPC, State and local agencies. (ELR Order No. 50020.)

VETERANS ADMINISTRATION

Contact: Mr. Arthur W. Farmer, Assistant Chief, Medical Director for Administration and Facilities, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420.

Draft

Clinical Support Facility, Boise, Ada County, Idaho, January 2: Proposed is the construction of a new clinical support facility, and the installation of seismic corrections at various buildings at the VA Hospital in Boise. There will be some construction disruptions. (ELR Order No. 50005.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-1005 Filed 1-10-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 320-3]

CHEMAGRO DIVISION OF MOBAY CHEMICAL CORP.

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5H5076) has been filed by Chemagro Division of Mobay Chemical Corp., P.O. Box 4913, Kansas City, Mo. 64120, proposing establishment of a food additive tolerance (21 CFR Part 121) for

residues of the herbicide 4-amino-6-(1,1-dimethylethyl) - 3 - (methylthio) - 1,2,4-triazin-5(4*H*)-one and its triazinone metabolites in or on processed potatoes at 3 parts per million, resulting from application of the herbicide to growing potatoes.

Dated: January 8, 1975.

MARTIN H. ROGOFF,
Acting Director,
Registration Division.

[FR Doc.75-1095 Filed 1-10-75;8:45 am]

[FRL 319-5; OPP-32000/167]

Data To Be Considered in Support of Applications

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street SW., Washington, DC 20460.

On or before March 14, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington, DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after March 14, 1975.

APPLICATIONS RECEIVED

EPA File Symbol 3051-TI. Agricultural Products Co., Inc., PO Box 698, Mesquite NM 88048. THURICIDE HP PARATHION 144M-2. Active Ingredients: Parathion 2.000%; Bacillus thuringiensis Berliner, potency of 320 International Units (at least 600 thousand viable sportes) per milligram 0.064%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 32427-ER. Allied Services, Div. of Allied Equities Corp., 765 Landess Ave., Milpitas CA 95035. ALLIED SERVICES AMMONIUM SULFAMATE. Active Ingredients: Ammonium sulfamate 95%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1730-GL. Consumer Products Div., American Cyanamid Co., Wayne NJ 07470. PUMP STRENGTH PINE-SOL SPRAY CLEANER. Active Ingredients: Pine Oil 2.06%; Isopropanol 0.64%; Soap 0.58%; 4-Chloro-2-Cyclopentylphenol and related compounds 0.0058%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11623-A. Apollo Industries, Inc., 4480 Frederick Dr., SW, Atlanta GA 30336. APOLLO INSECT KILLER. Active Ingredients: Pyrethrins 0.50%; Tech Piperonyl Butoxide 2.00%; Petroleum Distillate 17.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8612-IE. B & G Co., 10539 Maybank, Dallas TX 75220. B & G ZINC NUTRIA. Active Ingredients: Zinc Phosphide 94%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11709-I. Bio Chem Laboratories Inc., 745 Boone Ave., North, Minneapolis, MN 55427. SAN-TIZE II CONCENTRATED. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11709-T. Bio Chem Laboratories Inc., 745 Boone Ave., North, Minneapolis MN 55427. TRIPLE THREAT PLUS CONCENTRATED. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 4.5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium Carbonate 4.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 4-EUR. Bonide Chemical Co., Inc., 2 Wurz Ave., Yorkville NY 13495. BONIDE "D/L" MOSQUITO CONTROL. Active Ingredients: O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate 6.8%; Beta-butoxy beta'-thiocyano diethyl ether 5.8%; Aromatic petroleum derivate solvent 77.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 475-ROA. Boyle Midway Inc., South Ave. & Hale St., Canford NJ 07016. SANI-FLUSH BLUE BUBBLING ACTION FORMULA C. Active Ingredients: Sodium Bisulfate 50.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4313-LG. Carroll Co., 2900 W. Kingsley Rd., Garland TX 75041. CARROLL QUAT DISINFECTANT CLEANER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.8%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.8%; Sodium Metasilicate 2.4%; Tetrasodium ethylenediamine tetraacetate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8957-0. Chemco Products, Inc., PO Box 9248, Tulsa OK 74107. CHEMCO DSD-X DISINFECTANT-DEODORIZER-SANITIZER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8957-RN. Chemco Products, Inc., PO Box 9248, Tulsa OK 74107. CHEMCO CLEANER DISINFECTANT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 100-LTA. Agricultural Div., Ciba-Geigy Corp., PO Box 11422, Greensboro NC 27409. SPECTRACIDE PROFESSIONAL STRENGTH PEST CONTROL, LIQUID. Active Ingredients: O,O-diethyl O-(2-isopropyl - 6 - methyl-4-pyrimidinyl) phosphorothioate 1.000%; Pyrethrins 0.052%; Technical piperonyl butoxide 0.261%; Petroleum distillates 98.117%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 100-LTG. Agricultural Div., Ciba-Geigy Corp. SPECTRACIDE PROFESSIONAL STRENGTH PEST CONTROL, PRESSURIZED. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phospohorothioate 1.000%; Pyrethrins 0.052%; Technical piperonyl butoxide 0.261%; Petroleum distillate 68.117%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 100-LTI. Agricultural Div., Ciba-Geigy Corp. TRUMP LIQUID VEGETATION KILLER. Active Ingredients: Prometon: 2,4-bis (isopropylamino)-6-methoxyl-s-triazine 10.0%; Pentachlorophenol 3.6%; Other Chlorophenols and related compounds 4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 100-LTL. Agricultural Div., Ciba-Geigy Corp. SPECTRACIDE HOME GARDENING SPRAY. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 100-LTT. Agricultural Div., Ciba-Geigy Corp. STABILIZED DIAZINON CONCENTRATE NO. 1. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 90%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 100-LTU. Agricultural Div., Ciba-Geigy Corp. TRUMP GRANULAR VEGETATION KILLER. Active Ingredients: Prometon: 2,4-bis (isopropylamino-6-methoxy-s-triazine) 5.00%; Simazine: 2-chloro-4,6-bis (ethylamino)-s-triazine 0.75%; Sodium chlorate (NaClO3) 40.00%; Sodium metaborate ($Na_2B_2O_4$-5H20) 50.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4715-GUE. Colorado International Corp., 5321 Dahlia St., Commerce City, CO 80022. BEST 4 SERVIS BRAND KITCHEN PEST CONTROL SPRAY. Active Ingredients: (5-Benzyl-3-furyl) methyl

2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 3.000%; Related compounds 0.409%; Aromatic Petroleum Hydrocarbons 91.471%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2398-U. Commerce Drug Co., Inc., Div. Del Laboratories, Inc., 565 Broad Hollow Rd., Farmingdale, NY 11735. NEW BARC LIQUID, ONE APPLICATION KILLS AND CONTROLS HEAD LICE, CRAB LICE, NITS. Active Ingredients: Pyrethrins 0.180%; Piperonyl butoxide technical 2.200%; Petroleum distillate 5.520%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34822-G. King Paint & Supply Co., Div. of Diall Chemical Corp., PO Box 14347, Orlando, FL 32807. NEW X-1 DI-AL. Active Ingredients: Chlorpyrifos O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate 11.2%; Aromatic Petroleum derivative solvent 71.2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6900-RLN. J. J. Dill Co., PO Box 788, Kalamazoo, MI 49005. DILL SPRA-ALL. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.250%; Related compounds 0.034%; d-trans Allethrin (ally homolog of Cinerin I) 0.250%; Related compounds 0.019%; Aromatic petroleum hydrocarbons 0.363%; Petroleum distillate 19.074%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 875-TT. Diversey Chemicals, Div. of the Diversey Corp., 1855 S. Mt. Prospect Rd., Des Plaines, IL 60018. SURE KILL. Active Ingredients: Petroleum hydrocrabon 94.5%; Pyrethrins 0.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 32972-U. Ecolochem, Inc., PO Box 844, 1265 Burlington St., Opalocka, FL 33054. DCA-21. Active Ingredients: Disodium cyanodithioimidocarbonate 4.2%; Potassium N-methyldithiocarbamate 5.8%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34761-E. Ecolo-G Enterprises Ltd., Industrial Park Bldg. #5, West Haverstraw, NY 10993. INSECTICIDE, AEROSOL RESMETHRIN-2%. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 2.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 779-OA. Faesy & Besthoff, Inc., 143 River Rd., Edgewater NJ 07020. F&B DIAZO GRAN 14% FOR PROFESSIONAL USE. Active Ingredients: O, O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 14%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 22558-L. First U.S. Chemical, 1915 Lausanne, Memphis TN 38117. MICROBIOCIDE 10-M. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N-methyldithiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2496-RA. The General Pest Control Co., 3561 W. 105th St., Cleveland OH 44111. MYSTIC FOOD PLANT SPRAY. Active Ingredients: Pyrethrins 0.20%; Piperonyl Butoxide, Technical 1.00%; Petroleum Distillate 98.80%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2217-AGN. PBI-Gordon Corp., 300 S. 3rd St., Kansas City KS 66118. GORDON'S CRABGRASS & NUTGRASS KILLER. Active Ingredients: Monosodium acid methanearsonate 16.6%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 35991-R. Hallum and Sandefur Manufacturing Co., PO Box 630, Seminole OK 74868. SANDEFUR FLY BAIT SUGAR TABLETS. Active Ingredients: Ronnel [O,O-dimethyl-0-(2,4,5-trichlorophenyl) phosphorothioate] 0.250%; Dichlorvos (2,2-dichlorovinyl dimethyl phosphate) 0.093%; Related Compounds 0.007%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2393-EIN. Hopkins Agricultural Chemical Co., PO Box 584, Madison WI 53701. HOPKINS MALATHION 57% EMULSIFIABLE LIQUID INSECTICIDE-B. Active Ingredients: Malathion 57%; Xylene 30%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2393-ETA. Hopkins Agricultural Chemical Co., PO Box 584, Madison WI 53701. HOPKINS TOXAPHENE 6 E.C. Active Ingredients: Toxaphene (technical chlorinated camphene containing 67-69% chlorine) 60%; Xylene 35%. Method of Support: Application proceeds under 2 (c) of interim policy.

EPA File Symbol 8169-T. Hunter Products Corp., 8603 Botts Lane, San Antonio TX 78286. ENVAIR FLYING INSECT KILLER. Active Ingredients: Pyrethrins 0.45%; Piperonyl Butoxide, Technical 0.90%; N-Octyl-bicycloheptene dicarboximide 1.50%; Petroleum distillate 17.15%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 21363-E. Indiana Soft Water Service, Inc., 3335 N. Keystone Ave., Indianapolis IN 46218. MICROBIOCIDE 12. Active Ingredients: Disodium cyanodithioimidocarbonate 4.90%; Potassium N-methyldithiocarbamate 6.76%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2342-OLN. Kerr-McGee Chemical Corp., Kerr-McGee Center, Oklahoma City OK 73125. GRO-TONE LIQUID COPPER FUNGICIDE-4. Active Ingredients: Copper salts of fatty and rosin acids 48.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 635-ATA. E-Z-Flo Chemical Co., Div. of Kirsto Co., PO Box 808, Lansing MI 48903. E-Z FLO PLANT-GUARD. Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 5.00%; Maneb (Manganese Ethylenebisdithiocarbamate) 10.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 453-EAA. Wood Treating Chemicals Dept., Koppers Co., Inc., 5137 Southwest Ave., St. Louis MO 63110. KOPPERS PENTA STAIN BASE CONCENTRATE. Active Ingredients: Pentachlorphenol 11.92%; Other Chlorophenols and Related Compounds 1.39%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 453-EAL. Wood Treating Chemicals Dept., Koppers Co., Inc. KOPPERS PRESSTREAT-T WOOD PRESERVATIVE. Active Ingredients: Pentachlorophenol 4.47%; Other Chlorophenols and Related Compounds 0.53%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 453-EAT. Wood Treating Chemicals Dept., Koppers Co., Inc. KOPPERS WOODTOX 140-T CONCENTRATE WATER REPELLENT WOOD PRESERVATIVE. Active Ingredients: Pentachlorophenol 18.92%; Other Chlorophenols & Related Compounds 2.20%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 35212-R. Laboratorio Rivera, Calle Lippitt 526—B' Obrero, Santurce, PR 00915. RATA-CALIN. Active Ingredients: 3-(A-Acetonylbenzyl)4-Hidroxycoumarin 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 19961-GNG. Lebanon Chemical Corp., PO Box 180, Lebanon PA 17042. AGRICO BROADLEAF WEED CONTROL. Active Ingredients: Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid 2.85%; Isooctyl ester of Silvex [2-(2,4,5-trichlorophenoxy)] propionic acid 1.25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 35083-E. Metaframe Living World, 41 Slater Dr., Elmwood Park, NJ 07407. LIVING WORLD CAT FLEA COLLAR. Active Ingredients: O,O-dimethyl-O-(3,5,6-trichloro-2-pyridyl) phosphate 15%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 35083-R. Metaframe Living World, 41 Slater Dr., Elmwood Park, NJ 07407. LIVING WORLD DOG FLEA COLLAR. Active Ingredients: O,O-dimethyl-O-(3,5,6-trichloro-2-pyridyl) phosphate 15%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8123-AO. Frank Miller & Sons, 13831 S. Emerald Ave., Chicago, IL 60627. NON-SELECTIVE HERBICIDE. Active Ingredients: Petroleum Distillates 92.87%; 2,4-bis(isopropylamino)-6-Methoxy-s-triazine 1.60%; Pentachlorophenol 0.64%; Other Chlorophenols 0.09%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8123-TE. Frank Miller & Sons. GRANULAR WEED AND VEGETATION KILLER. Active Ingredients: Bromacil (5-bromo-3-sec-butyl-6-methyluracil) 3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8123-TG. Frank Miller & Sons. PENTACHLOROPHENOL CONCENTRATE. Active Ingredients: Pentachlorophenol 35.2%; Other Chlorophenols 4.8%; Petroleum Distillates 40.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8123-TN. Frank Miller & Sons. TOTAL VEGETATION KILLER. Active Ingredients: Petroleum Distillates 91.37%; 2,4-Dichlorophenoxyacetic acid, isooctyl ester 1.09%; 2,4-bis(isopropylamino)-6-methoxy-s-triazine 1.58%; Pentachlorophenol 0.63%; Other chlorophenols 0.09%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8123-TR. Frank Miller & Sons. EMULSIFIABLE VEGETATION KILLER CONCENTRATE. Active Ingredients: 2,4-bis(isopropylamino)-6-methoxy-s-triazine 4.66%; Petroleum Distillate 77.35%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 20375-A. Nutmeg Chemical Co., 125 Market St., New Haven CT 06513. NUTMEG NC-46. Active Ingredients: Disodium cyanodithioimidocarbonate 7.35%; Potassium N-methyldithiocarbamate 10.15%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 20375-I. Nutmeg Chemical Co. NUTMEG NC-48. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N-methyldithiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 20375-T. Nutmeg Chemical Co. NUTMEG NC-47. Active Ingredients: Disodium cyanodithioimidocarbonate 4.90%; Potassium N-methyldithiocarbamate 6.76%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11541-O. O'Brien Industries, Inc., 513 W. Mt. Pleasant Ave., Livingston NJ 07039. OB-ALGE C-64. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N-methyldithiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8501-EU. Pace National Corp., 500 7th Ave., S, Kirkland WA 98033. MOSS-STOP DESTROYS MOSS AND KEEPS ROOFS MOSS-FREE FOR SEVERAL YEARS. Active Ingredients: Pentachlorophenol 4.73%; 2,4,5-trichlorophenol 1.90%; Other chlorophenols and related compounds 0.55%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4758-REN. Pet Chemicals, Inc., PO Box 660656, Miami Springs FL 33166. HOLIDAY PUPPY-KITTEN SPRAY. Active Ingredients: Petroleum distillates 29.30%; Technical piperonyl butoxide 0.30%; N-octyl bicycloheptene dicarboximide 0.30%; pyrethrin 0.10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 224-GN. Phillips Petroleum Co., 8A3 Phillips Bldg., Bartlesville OK 74004. R-55 REPELLENT 12.5R. Active Ingredients: tert-Butylsulfenyldimethyldithiocarbamate 10.95%; Related Compounds 1.93%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 5576-EO. Regal Supply and Chemical Co., PO Box 1955, El Paso TX 79850. EXTERMO-CIDE A CONCENTRATED PYRENONE INSECTICIDE. Active Ingredients: Pyrethrins 0.5%; Piperonyl Butoxide, Technical 5.0%; Petroleum Distillate 94.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 201-GTO. Shell Chemical Co., Suite 200, 1025 Connecticut Ave., NW, Washington DC 20036. BLADEX 80 WETTABLE POWDER HERBICIDE. Active Ingredients: 2-[4-chloro-6(ethylamino)-s-triazine-2-yl]amino]-2-methylpropionitrile 80%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 3640-IR. Stearns Chemical Corp., 4200 Sycamore, Madison, WI 53704. POOL MATE SWIMMING POOL ALGAECIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 148-RENE. Thompson-Hayward Chemical Co., 5200 Speaker Rd., Kansas City, KS 66110. CASORON 4H DICHLOBENIL WEED AND GRASS KILLER HERBICIDE AND HAND SPREADER. Active Ingredients: dichlobenil 4.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 148-RENG. Thompson-Hayward Chemical Co., 5200 Speaker Rd., Kansas City, KS 66110. FREESTYLE CALCIUM HYPOCHLORITE GRANULAR 65. Active Ingredients: Calcium Hypochlorite 65%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34281-R. Tillar Enterprises, 8304 Beverly Blvd., Los Angeles, CA 90048. SPORT COAT. Active Ingredients: N,N-diethyltoluamide 8%; meta isomer 7.6%; other isomers 0.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1624-RNI. United States Borax & Chemical Corp., PO Box 75128, Sanford Station, Los Angeles, CA 90075. 20 MULE POWER SHOWER TUB & TILE CLEANER. Active Ingredients: Tetrosodium ethylenediamine tetraacetate 9.13%; Isopropanol 5.00%; 2,4,4'-trichloro-2'-dihydroxydiphenyl ether 0.07%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 876-EUA. Velsicol Chemical Corp., 341 E. Ohio St., Chicago, IL 60611. VELSICOL CHLORDANE-10D DUST. Active Ingredients: Technical chlordane 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 876-EUL. Velsicol Chemical Corp. VELSICOL CHLORDANE-8 EC. Active Ingrendients: Technical chlordane 72%; Petroleum distillate 21%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 876-EUU. Velsicol Chemical Corp. VELSICOL CHLORDANE-4 EC. Active Ingredients: Technical chlordane 45.3%; Petroleum distillate 49.7%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34859-E. Wayne Chemical, Inc., 2014 S. Calhoun St., Fort Wayne, IN 46804. WC-4200 ALGAECIDE. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N-methyldithiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1325-IG. Weil Chemical, 219 Scott St., Memphis, TN 38112. AWT ALGAECIDE III. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potasium N - methyldithiocarbamate 5.07%. Method of Support. Application proceeds under 2(b) of interim policy.

EPA File Symbol 1325-IU. Weil Chemical, 219 Scott St., Memphis, TN 38112. E-Z TREET ALGAECIDE III. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N - methyldithiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 769-ULG. Woolfolk Chemical Works, Inc., PO Box 938, Fort Valley GA 31030. SECURITY THIODAN VEGETABLE DUST. Active Ingredients: Endosulfan (Hexachlorohexahydromethano - 2,4,3-benzodioxathiepin oxide) 3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5427-LI. Wright Chemical Corp., 1319 Wabansia Ave., Chicago IL 60622. WRICO SRW. Active Ingredients: Disodium cyanodithioimidocarbonate 14.7%; Potassium N-methyldithiocarbamate 20.3%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 5427-LT. Wright Chemical Corp., 1319 Wabansia Ave., Chicago IL 60622. WRICO SRT. Active Ingredients: Disodium cyanodithioimidocarbonate 7.35%; Potassium N-methyldithiocarbamate 10.15%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1748-RET. York Chemical Co., Inc., 195 Atlantic Ave., Garden City Park NY 11040. CERTOX RAT & MOUSE BAIT. Active Ingredients: 2-[(p-chlorophenyl)phenylacetyl] - 1,3 - indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: January 6, 1975.

MARTIN H. ROGOFF,
Acting Director,
Registration Division.

[FR Doc.75-1072 Filed 1-10-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 20310, 20311; File Nos. BP-19, 596, BP-19, 645]

LAKE COUNTY BROADCASTERS AND KBMR RADIO, INC.

Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Lake County Broadcasters, a limited partnership, (Terry L. Kinne and Judy A. Kinne, General Partners) Polson, Montana, requests: 1050 kHz, 1 kW, D; KBMR Radio, Inc., Polson, Montana, requests: 1070 kHz, 1 kW, 25 kW-LS, DA-N, U. for construction permits.

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has before it the two above-described applications for new standard broadcast stations at Polson, Montana. The applications must be designated for a consolidated hearing since operation as proposed would result in mutual overlap of 2 mV/m and 25 mV/m contours in contravention of § 73.37(a), and would result in three daytime aural services to Polson in contravention of § 73.37(e)(1)(ii).

2. According to the financial data submitted in its application, Lake County Broadcasters [Lake County] would require $58,034 to construct and operate the proposed facility for a period of one year, without revenue, itemized as follows:

Lease payment on equipment	$7,814
Mortgage payments (land)	1,951
Mortgage payments (building)	2,750
Miscellaneous	6,450
Estimated interest on loan (a 10 percent)	2,500
Working capital (first year)	36,569
Total	58,034

To meet this requirement, Lake County relies upon $15,000 in existing capital, and two loans from financial institutions—a $25,000 loan from Security State Bank, and a $20,000 loan from First Security Bank. Although the existing capital is well documented, the two bank loans are unacceptable for failure to comply with section III, paragraph 4(e), of FCC Form 301. Specifically, the letter of commitment from Security State Bank does not state the collateral required, nor does it specify the rate of interest. Further, the letter from First Security Bank does not contain language indicating a firm commitment to lend money, but rather is an offer to consider such a loan. In view of these deficiencies, the Commission cannot conclude that sufficient funds will be available to Lake County, as required, to meet the projected costs of construction and operation. Accordingly, an appropriate issue will be specified.

3. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and

populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations which would receive primary service, together with the availability of other primary aural services 1 mV/m or greater in the case of FM in such areas will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to either of the applicants.

4. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

5. *Accordingly, it is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. With respect to the application of Lake County Broadcasters:

(a) To determine the terms and conditions of the two putative bank loans and whether they are available to the applicant;

(b) Whether, in light of the evidence adduced in (a), above, whether Lake County Broadcasters is financially qualified.

2. To determine which of the proposals would, on a comparative basis, better serve the public interest.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

6. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

7. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible, and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: December 31, 1974.

Released: January 6, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-1009 Filed 1-10-75;8:45 am]

[Docket Nos. 20268, 20269, 20270; File Nos. BPH-8250, BPH-8405, BPH-9036]

TOWN AND COUNTY RADIO, INC., ET AL.

Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Town and Country Radio, Inc. Suffolk, Virginia, requests: 106.9 MHz; Channel #295; 100 KW(H&V); 935 feet; John Laurino, Gordon L. Hood and Vernon S. Lee, d/b/a: Voice of the People, Suffolk, Virginia, requests: 106.9 MHz; Channel #295; 100 kW(H&V); 937 feet; Tidewater Sounds, Inc. Suffolk, Virginia, requests: 106.9 MHz; Channel #295; 100 kW(H&V); 755 feet, for construction permits.

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has under consideration the above-captioned applications which are mutually exclusive in that they seek the same channel in Suffolk, Virginia. In addition, an informal objection has been filed against the application of Voice of the People [Voice] by Lloyd A. Gatling [Gatling], a resident of Suffolk. Voice has filed comments in reply.

2. In his objection, Gatling asserts that the Voice application and related materials were not available for public inspection, and that Voice has failed to satisfy the intent of § 1.580, as well as the requirements of § 1.526, of the Commission's rules. In reply, Voice states that the necessary materials were in fact filed at the Morgan Memorial Library in Suffolk on May 11, 1973. Since the library was at that time undergoing repairs, the building was closed, and the public did not gain access to the file until June 26, 1973, when the library was reopened. However, Voice claims that its arrangements to publish the notice and maintain the file at the Library were made before the applicant could reasonably have known that the building would be closed. Further, it appears that the applicant, upon learning that the library was in fact closed, was told by the local librarian that the building would only be closed for two weeks. Finally, Voice asserts that the librarian was told that inquiries regarding the file during the repair period should be directed either to Voice's Washington counsel or to the Chester, Virginia, studios of WIKI-FM and WDYL-FM, controlled by the majority owner of Voice. Gatling has filed no response to the applicant's statements. More importantly, Voice has since republished the local notice in order to ensure that the public would be aware of the availability of the file. Thus, although the circumstances surrounding the earlier notice may have constituted, at most, a relatively minor technical violation of § 1.526, there appears to have been no intent to conceal information from the public. While the Commission does not condone violations of its rules, the public seems not to have been prejudiced in the instant case[1] the circumstances indicate that this was an isolated instance, and the defect has since been cured. Accordingly, the informal objection will be denied.

3. Vernon Baker, president and majority shareholder of Town, is also president and majority shareholder of the Accomack-Northampton Broadcasting Co., Inc., licensee of WESR and WESR-FM, Tasley, Virginia. Because of their proximity, the proposed station and WESR-FM, would be significantly restricted in their ability to increase facilities without causing 1 mV/m overlap in contravention of § 73.240(a)(1) of the Commission's rules. Accordingly, an issue will be specified to determine whether the Town proposal represents a fair, efficient and equitable use of the channel within the meaning of section 307(b) of the Communications Act of 1934, as amended.

4. Town has failed to indicate the dates on which its community leader interviews were conducted. In addition, although Town states that members of the general public were contacted by a prospective employee of the applicant, there is no indication that this interviewer was a prospective management-level employee, or, if not, that the interviewer was acting under the supervision of a principal, a management-level employee, or a prospective management-level employee. In light of the requirements of questions and answers 15 and 11(b) of the Commission's Primer on the Ascertainment of Community Problems by Broadcast Applicants, 27 FCC 2d 650 (1971), an appropriate issue will be added.

5. John Laurino, a general partner of Voice, is the sole shareholder of WIKI Radio, Inc., licensee of WIKI and WDYL-FM, Chester, Virginia. The 1 mV/m contours of WDYL and the present proposal overlap significantly. Further, if both stations had the maximum facilities permitted under the rules, the WDYL contour would be almost completely contained within the contour of the proposed station. In order to avoid a violation of section 73.240(a)(1) of the rules, Laurino has stated his intention to divest himself of his ownership in WIKI Radio, Inc., if the present application is granted. Accordingly, a condition will be added requiring such divestiture.

6. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding in the issues specified below.

7. *Accordingly, It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time

[1] In this regard it should be noted that Gatling's objection does not even allege that he himself ever attempted to see the file.

and place to be specified in a subsequent Order, upon the following issues:

1. To determine with respect to the application of Town and Country Radio, Inc.:

(a) The extent to which duopoly considerations would preclude future improvement of WESR-FM and the proposed station; and

(b) Whether, in light of the evidence adduced pursuant to (a) above, the proposal represents a fair, efficient and equitable use of the channel within the meaning of section 307(b) of the Communications Act of 1934, as amended.

2. To determine the efforts made by Town and Country Radio, Inc. to ascertain the community problems of the area to be served and the means by which the applicant propose to meet these problems.

8. *It is further ordered*, That, in the event of a grant of the application of Voice of the People, the construction permit shall contain the following condition:

Prior to issuance of program test authority John Laurino shall submit satisfactory evidence that he has severed all connection with the licensee of station WDYL-FM, Chester, Virginia.

9. *It is further ordered*, That the informal objection filed by Lloyd Gatling against the application of Voice of the People is denied.

10. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

11. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: December 20, 1974.

Released: January 3, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-1010 Filed 1-10-75;8:45 am]

[Docket Nos. 20294, 20295; File Nos. BPH-8871, BPH-8952]

TRIPLETT BROADCASTING CO., INC., AND ELECTROCOM, INC.

Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Triplett Broadcasting Co., Inc., Parkersburg, West Virginia, requests: 95.1 MHz, #236; 50 kW (H&V); 500 feet; Electrocom, Inc., Parkersburg, West Virginia, requests: 95.1 MHz, #236; 50 kW (H&V); 500 feet, for construction permits.

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has under consideration the two above-captioned applications which are mutually exclusive in that they seek the same channel in Parkersburg, West Virginia.

2. Triplett Broadcasting Co., Inc. [Triplett] requests a waiver of § 73.210 (a)(2) of the Commission's rules to allow location of the main studio of the proposed facility to be outside of the community of license, at a site 1.9 miles from the city limits of Parkersburg, near Vienna, West Virginia. Pursuant to § 73.210 of the rules, applicants who wish to locate the main studio of the proposed station outside of the city limits of the community to which the channel is allocated must request permission, documenting the request with a showing of good cause and that operation of the facility as proposed would be in the public interest. Triplett has submitted a statement in support of its request, noting that the proposed site is "at least as convenient" as would be a location in Parkersburg proper, and, further, that the proposed location benefits from ample parking and ease of accessibility to other residents within the area which Triplett intends to serve. Accordingly, permission to locate the main studio as proposed in the Triplett application will be granted.

3. In the amended Exhibit No. 4A-1 of the Triplett application, the interviewer responsible for the survey of the general public is identified as Mrs. Donna J. Triplett, the wife of the president of the corporation. The survey conducted by Mrs. Triplett was performed in the month of January, 1974. However, not until October 5, 1974, did Mrs. Triplett have any official connection with the applicant, either as a principal, employee or prospective employee. Question and answer 11(b) of the Commission's Primer on the Ascertainment of Community Problems by Broadcast Applicants, 27 FCC 2d 650 (1971), enumerates specifically those individuals who may conduct a valid survey of the general public for the purposes of the ascertainment study.[1] The Commission admonished applicants in Voice of Dixie, Inc., 45 FCC 2d 1027, 29 RR 2d 1127 (1974), that "[t]he Primer is unequivocal, and it [gives applicants] notice of what [they are] expected to do with respect to ascertaining community needs," 45 FCC 2d at 1031. It is not apparent that the survey undertaken by Mrs. Triplett, who was at best a "prospective principal" of the applicant at the time the study was conducted, comports with the requirements of question and answer 11(b) of the Primer. In addition, Triplett states in the same amended exhibit that the survey of the general public in Marietta, Ohio, was conducted in part, "by Douglas Triplett, the son of Robert S. Triplett, who is expected to be an employee at the proposed station at Parkersburg." The confusion generated by this statement is compounded by the fact that, elsewhere in the amendment, Robert S. Triplett is, for the first time, proposed to be the fulltime general manager of the facility.[2] If the Triplett statement is read as it is written, Douglas Triplett does not fall within those categories specified in question and answer 11(b) of the Primer. In light of these questions concerning the validity of the survey of the general public conducted by Triplett, an appropriate issue will be specified.

4. Triplett proposes to utilize a CCA transmitter, type number FM-20,000D/DS, with a rated power of 20 kW. This equipment is not type accepted; accordingly, in the event that Triplett is favored in this proceeding, a grant of the application will contain a condition requiring submission of data for type acceptance of the proposed transmitter.

5. The application filed by Electrocom, Inc., does not include the necessary approval, issued by the Federal Aviation Administration, that the tower height and location proposed by the applicant poses no potential hazard to air navigation. Accordingly, an appropriate issue will be specified, and the FAA will be made a party to this proceeding.

6. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

7. Accordingly, *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the efforts made by Triplett Broadcasting Co., Inc., to ascertain the community problems of the area to be served and the means by which the applicant proposes to meet these problems.

2. To determine whether there is a reasonable possibility that the tower height and location proposed by Electrocom, Inc., would constitute a menace to air navigation.

3. To determine which of the proposals would, on a comparative basis, better serve the public interest.

4. To determine, in light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

8. *It is further ordered*, That, pursuant to § 73.210(a)(3) of the rules, permission to locate the main studio as proposed in the Triplett application, is granted.

9. *It is further ordered*, That, in the event of a grant of the application of

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[1] Principals, employees or prospective employees of the applicant or a professional research or survey service.

[2] Amended Exhibit No. 3-1. No employment relationship was revealed as concerns Robert S. Triplett in the initial application.

Triplett Broadcasting Co., Inc., the construction permit shall contain a condition that the program tests will not be authorized until the permittee has submitted data for type acceptance of the proposed transmitter.

10. *It is further ordered*, That, the Federal Aviation Administration is made a party to this proceeding.

11. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

12. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594 (g) of the rules.

Adopted: December 20, 1974.

Released: January 3, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-1011 Filed 1-10-75;8:45 am]

FEDERAL MARITIME COMMISSION

DART CONTAINERLINE, INC. AND GLOBAL TERMINAL AND CONTAINER SERVICES, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763 (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 10, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Conrad H. C. Everhard, President
Dart Containerline
Five World Trade Center
New York, New York 10048

Agreement No. T-3039, between Dart Containerline Incorporated (Dart) and Global Terminal & Container Services, Inc. (Global) provides for Global to act as agent for Dart in billing and collecting demurrage on cargo to be loaded to or discharged from Dart's vessels at the Global Marine Terminal facilities in the Port of New York. As compensation, Global shall retain all monies derived from demurrage charges on cargo to be loaded or discharged from its vessels at the aforesaid terminal.

By order of the Federal Maritime Commission.

Dated: January 8, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1052 Filed 1-10-75;8:45 am]

PORT OF OAKLAND, ET AL.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 10, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

PORT OF OAKLAND AND JAPAN LINE, LTD., KAWASAKI KISEN KAISHA, LTD., MITSUI O.S.K. LINES, LTD., YAMASHITA-SHINNIHON STEAMSHIP CO., LTD.

Notice of Agreement Filed by:

John E. Nolan, Esq., Assistant Port Attorney, Port of Oakland, 66 Jack London Square, P.O. Box 2064, Oakland, Calif. 94607.

Agreement No. T-3040 between the Port of Oakland (Port) and Japan Line, Ltd., Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd. and Yamashita-Shinnihon Steamship Co., Ltd. (the Lines) is a 10-year nonexclusive preferential assignment of certain marine terminal facilities located in the Port's Outer Harbor Terminal Area, which the Lines will use primarily for handling containerized traffic. Port reserves secondary berthing privileges and all charges in connection therewith shall be applied towards the minimum and maximum annual compensation payable by the Lines as further provided by the agreement. The Lines will pay the Port's treminal tariff charges subject to the above mentioned annual minimum, plus a portion of the cost for the construction of improvements by Port, plus the cost of utilities incurred as a result of the Lines primary operations on the said facilities, as provided by the basic agreement. In the event the maximum annual guarantee is reached, provision is made for a return of all further payments made by the Lines to Port pursuant to both its primary and secondary operations. The minimum and maximum compensation amounts are subject to periodic review and adjustment as further provided in detail in the agreement.

By Order of the Federal Maritime Commission.

Dated: January 8, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1053 Filed 1-10-75;8:45 am]

PORT OF OAKLAND, ET AL.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 3,

1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

PORT OF OAKLAND AND JAPAN LINE, LTD., KAWASAKI KISEN KAISHA, LTD., MITSUI O.S.K. LINES, LTD., YAMASHITA-SHINNIHON STEAMSHIP CO., LTD.

Notice of Agreement Filed by:

John E. Nolan, Esq., Assistant Port Attorney, Port of Oakland, 66 Jack London Square, P.O. Box 2064, Oakland, Calif. 94607.

Agreement No. T-3040-A between the Port of Oakland (Port) and Japan Line, Ltd., Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd., and Yamashita-Shinnihon Steamship Co., Ltd. (the Lines) is a 10-year (with renewal option) nonexclusive preferential assignment of a 40-ton container crane for use by the Lines in loading and unloading cargo containers and cargo to and from the Lines' vessels. As rental, the Lines shall pay an annual figure of $235,193 plus the cost of utilities. The annual rental may be adjusted, depending on the actual cost of the crane. A formula for such an adjustment is included in the agreement. Secondary use of the crane by the Port or by third parties is permitted, and charges therefor will be those specified in the Port's tariff. Any secondary user will pay to the Lines compensation for the cost of utilities and maintenance. The crane will be situated at the Port's Outer Harbor Terminal Area and will be utilized in conjunction with the parties' nonexclusive preferential assignment (T-3040).

By order of the Federal Maritime Commission.

Dated: January 8, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1054 Filed 1-10-75;8:45 am]

FEDERAL POWER COMMISSION

[Rate Schedule Nos. 343, *et al.*]

EXXON CORP., ET AL.

Rate Change Filings Pursuant to Commission's Opinion No. 699-H

JANUARY 3, 1975.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable area new gas or national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699-H, issued December 4, 1974.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filing should on or before January 17, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

MARY B. KIDD,
Acting Secretary.

Appendix

Filing date	Producer	Rate schedule No.	Buyer	Area
Dec. 11, 1974	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	343	Texas Eastern Transmission Corp.	Texas gulf coast.
Dec. 13, 1974	Long Star Producing Co., 301 South Harwood, Dallas, Tex. 75201.	87	do	Other southwest area.
Dec. 16, 1974	Ashland Oil, Inc., P.O. Box 1503, Houston, Tex. 77001.	66	United Gas Pipe Line Co.	Do.
Dec. 20, 1974	do	104	Mississippi River Transmission Corp.	Do.

[FR Doc.75-846 Filed 1-10-75;8:45 am]

[Docket Nos. RI75-97 and RI75-98]

PHILLIPS PETROLEUM CO. AND BELCO PETROLEUM CORP.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JANUARY 3, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds. It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders. (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per thousand cubic feet* Rate in effect	Cents per thousand cubic feet* Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI75-97	Phillips Petroleum Co	509	8	El Paso Natural Gas Co. (South Carlsbad Field, Eddy County, N. Mex.) (Permian Basin).	$9,213	12-6-74		[2] 6-6-75	37.4163	38.4275	RI74-70 [1]
						12-6-74	[3] 1-6-75	[4] Accepted			RI74-70 [1]
						12-6-74		[2] 6-6-75	37.4163	38.4275	RI74-70 [1]
RI75-98	Belco Petroleum Corp	17	[4] 7	Natural Gas Pipeline Co. of America (James Ranch Area, Eddy County, N. Mex.) (Permian Basin).		12-9-74	1-9-75	[4] Accepted			
			8	do	12,627	12-9-74		6-9-75	35.875	39.02	

* Unless otherwise stated, the pressure base is 14.65 lb/in²a.
[1] ESR in docket No. RI74-70 insofar as production from the Atoka and Morrow Formations is concerned.
[2] Effective date for the proposed rate insofar as it pertains to production from the Atoka and Morrow Formations.
[3] Effective date for the proposed rate insofar as it pertains to production from the Canyon Formation.
[4] Contract agreement dated June 6, 1974.
[5] Applicable to sales made pursuant to supp. No. 7 (agreement dated June 6, 1974).
[6] Accepted for filing as of the date set forth in the "Effective date unless suspended" column.

The proposed rate increases, except for sales under Phillips' Rate Schedule No. 509 from the Canyon Formation, exceed the applicable area ceiling rate under Opinion No. 662 and they are suspended for five months. The proposed rate increase under Phillips' Rate Schedule No. 509, insofar as it relates to sales from the Canyon Formation, does not exceed the ceiling under Opinion No. 662 and is accepted.

In regard to any sale of natural gas for which the proposed increased rate is filed under the provisions of Opinion No. 699-H, issued December 4, 1974, in Docket No. R-389-B, no part of the proposed rate increase above the prior applicable area ceiling rate may be made effective until the seller submits a statement in writing demonstrating that Opinion No. 699-H is applicable to the particular increased rate filing, in whole or in part. The proposed increased rates for which such support shall have been satisfactorily demonstrated on or before January 31, 1975, will be made effective as of June 21, 1974.

[FR Doc.75-863 Filed 1-10-75;8:45 am]

[Docket No. RP74-51]

SOUTHWEST GAS CORP.

Order Approving Settlement Agreement With Condition

DECEMBER 31, 1974.

On September 25, 1974 Southwest Gas Corporation (Southwest) tendered for filing a Stipulation and Agreement of Settlement in this proceeding and a motion for Commission approval thereof. The Presiding Administrative Law Judge in the above referenced docket certified the proposed agreement and the record of the proceeding to the Commission on September 26, 1974. If approved, this settlement would resolve all issues in this proceeding with the exception of rate design, which was to be decided separately.[1]

This proceeding involves a proposed increase in Southwest's rates filed December 27, 1973, which would result in annual increased revenues of $356,057. The increased rates were suspended for five months until June 30, 1974, by order issued January 30, 1974. The rates as filed on December 27, 1973, were put into effect on June 30, 1974, as modified by increases pursuant to Southwest's Purchase Gas Adjustment Clause which went into effect April 2, 1974, and the net change due to the RP73-99 settlement, which went into effect May 1, 1974.

Subsequently, Southwest was allowed to put other PGA adjustments into effect on October 1, 1974 and December 1, 1974. The net cumulative effect of PGA adjustments would be 3.094¢ therm to the settlement rates as proposed by Southwest as of December 1, 1974.

Southwest served its case-in-chief on January 10, 1974; the staff exhibits and testimony were served on June 14, 1974; one intervenor, Sierra, filed its exhibits and testimony on July 5, 1974; and Southwest filed rebuttal testimony and exhibits on July 26, 1974. A pre-hearing conference in this proceeding was held on August 5, 1974, at which time all the testimony and exhibits were made part of the record.

After the filing of evidence, settlement negotiations commenced. As a result of those negotiations a Stipulation and Agreement of Settlement and a motion for approval thereof was filed by Southwest on September 25, 1974, and certified to the Commission on September 26, 1974. The certification was noticed on October 18, 1974 with comments or protests due on or before October 25, 1974. No such response was received.

The principal provisions of the settlement agreement may be summarized as follows:

Article I. This Article provides for Southwest to file for a reduction in rates of .130 cent per therm in its then effective rates, within ten days after issuance of a Commission order approving this Stipulation and Agreement of Settlement. It also provides for Southwest to make refunds within 45 days using the .130 cent per therm difference to cover the period from June 30, 1974 to the effective date of the tariff sheet filed to make the reduction. The .130 cent per therm was derived (See Appendix A [2]) using an agreed upon jurisdictional cost of service which reflected the classification of 50 percent of the fixed costs to demand and 50 percent to commodity. (See Appendix B [3])

Article II. This Article provides for Southwest to file for new rates to be effective on or before January 1, 1975, which will reflect the classification of 25 percent of the fixed costs to demand and 75 percent to commodity in allocating Southwest's cost of service to jurisdictional customers. It also provides that Southwest's next general rate case filed with the FPC will reflect the 25-75 classification of costs.

Article III. Rate design will be a reserved issue in these proceedings to be tried on the merits and any change ordered by the Commission will be prospective in effect.

Article IV. This Article provides for: (1) Effectiveness of agreement upon final Commission approval, (2) termination of this agreement on the date Southwest's rates under this agreement are superseded by rates made effective pursuant to section 4 of the Natural Gas Act, and (3) that this agreement shall not terminate by any rate changes filed by Southwest pursuant to its applicable PGA clause in its tariff.

Article V. This Article provides reservations which state that if the agreement is not accepted it shall be privileged and of no effect, and that this agreement represents a negotiated dollar settlement of the proceedings.

Based on our review of the record in this proceeding, including the filing by Southwest and the proposed settlement agreement, we find that the proposed settlement is reasonable and in the public interest, and accordingly should be approved subject to the terms and conditions of this order. Pursuant to Article II of the agreement, Southwest shall file within 15 days of the issuance of this order new rates to be effective on or before January 1, 1975, which reflect the classification of 25 percent of the fixed

[1] Hearings were held on August 6 and 7th, 1974; initial briefs were filed on October 1, 1974, and reply briefs were filed on November 1, 1974, by Southwest, Sierra Pacific Power Company (Sierra) and Commission Staff; the case is now before the Administrative Law Judge awaiting his decision.

[2] Filed as part of original document.
[3] Filed as part of original document.

costs to demand and 75 percent to commodity in allocating Southwest's cost of service to jurisdictional customers.

The Commission finds. The settlement of this proceeding on the basis of the settlement agreement filed herein by Southwest on September 25, 1974, and certified to the Commission on September 26, 1974, is reasonable and proper and in the public interest in carrying out the provisions of the Natural Gas Act, and such agreement should be approved as hereinafter ordered.

The Commission orders. (A) The settlement agreement filed by Southwest Gas Corporation on September 25, 1974, and certified to the Commission on September 26, 1974, is incorporated herein by reference, approved and made effective as of June 30, 1974, subject to the terms and conditions of this order.

(B) Southwest shall file, within 15 days of the issuance of this order, new rates to be effective on or before January 1, 1975, which reflect the classification of 25 percent of the fixed costs to demand and 75 percent to commodity in allocating Southwest's cost of service to jurisdictional customers.

(C) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by the Commission, and is without prejudice to any claims or contentions which may be made by the Commission, its Staff, Southwest, or by any other party or person affected by this order in any proceedings now pending or hereafter instituted by or against Southwest or any other person or party.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-867 Filed 1-10-75;8:45 am]

[Docket No. CI75-391]

KERR-McGEE CORP.

Notice of Application

JANUARY 6, 1975.

Take notice that on December 18, 1974, Kerr-McGee Corporation (Applicant), P.O. Box 25861, Oklahoma City, Oklahoma 73125, filed in Docket No. CI75-391 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Southern Natural Gas Company from certain sands in the well bore of State Lease 5905, Well No. 1, Breton Sound Block 45, Plaquemines Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it is selling natural gas through January 31, 1975, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for two years from the end of the emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell approximately 35,000 Mcf of gas per month at the rate provided by § 2.56a of the Commission's general policy and interpretations (18 CFR 2.56a). The initial rate is said to be 65.551 cents per Mcf at 15.025 psia, including 100 percent tax reimbursement, upward Btu adjustment of 6.021 cents per Mcf, and 0.510 cent per Mcf for delivery at a point on the buyer's line.

Applicant submits that no justification for the proposed price is required since said price will be the national rate provided for post-January 1, 1973, contracts in effect from time-to-time during the two-year term of the contract. Applicant states that it is its opinion that the gas reserves in the dedicated sands which are recoverable through the well bore of the subject well will probably be depleted prior to the end of the term of the contract.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-983 Filed 1-10-75;8:45 am]

[Docket No. RP75-20]

MISSISSIPPI RIVER TRANSMISSION CORP.

Order Granting Interventions

JANUARY 6, 1975.

On October 31, 1974, this Commission issued an order in the above-captioned docket which suspended a proposed rate increase filed on October 1, 1974, by Mississippi River Transmission Corporation (MRT) for five months to become effective April 1, 1974, subject to refund.

The following parties filed timely interventions:

Union Electric Company
Arkansas-Missouri Power Company
Laclede Gas Company
Arkansas Public Service Commission

Intervention of the above-listed parties is in the public interest and accordingly, we shall grant the timely interventions.

The Commission finds. Good cause exists to grant intervention of the above-listed parties in this proceeding.

The Commission orders. (A) The parties listed above are hereby permitted to intervene in this proceeding subject to the Rules and Regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in said petitions for leave to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-984 Filed 1-10-75;8:45 am]

[Docket No. RP71-125 PGA75-5A]

NATURAL GAS PIPE LINE CO. OF AMERICA

Notice of PGA Rate Increase

JANUARY 3, 1975.

Take notice that on December 19, 1974, Natural Gas Pipe Line Company of America (Natural) tendered for filing submitted revised tariff sheets to track the increased cost of gas purchased from United Gas Pipe Line Company.

Natural's December 19, 1974 filing states that on December 18, 1974, United Gas filed revised rates to be effective January 1, 1975 (Docket No. RP72-133, PGA75-1) in substitution of the rates they had previously filed. Natural states therefore it is presently filing Substitute Eighteenth Revised Sheet No. 5, effective January 1, 1975, to reflect the necessary revisions to its PGA unit adjustment as a result of United Gas' rate revision.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-985 Filed 1-10-75;8:45 am]

[Docket No. RP74-48 and RP75-3]

TRANSCONTINENTAL GAS PIPE LINE CO.

Notice of Further Extension of Procedural Dates

JANUARY 6, 1975.

On December 11, 1974, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 30, 1974, as most recently modified by notice issued December 2, 1974, in the above-designated matter.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, February 5, 1975.
Service of Intervenor's Testimony, February 27, 1975.
Service of Company Rebuttal, March 14, 1975.
Hearing, March 25, 1975 (10 a.m. e.d.t.).

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-986 Filed 1-10-75;8:45 am]

[Docket Nos. CI75-191, CI75-205]

CITIES SERVICE OIL CO. AND CONTINENTAL OIL CO.

Order Concerning Sales to Tennessee Gas Pipeline Co.

JANUARY 3, 1975.

Cities Service Oil Company (Cities) on September 30, 1974, and Continental Oil Company (CONOCO) on October 3, 1974, respectively, in Docket Nos. CI75-191 and CI75-205 filed applications to abandon sales to Tennessee Gas Pipeline Company (Tennessee) from the West Cameron Block 135 of the Block 110 Field, offshore Louisiana, pursuant to the requirements of section 7(b) of the Natural Gas Act. Sales by Cities and CONOCO were initiated pursuant to Cities FPC Rate Schedule No. 348 and CONOCO's FPC Rate Schedule No. 372, and in which it is indicated that the date of initial delivery occurred on August 2, 1972. Tennessee advised the Commission by letter filed September 24, 1974, that CONOCO terminated deliveries of the gas from West Cameron Block 135 on September 11, 1974. On November 27, 1974, sua sponte, the Commission ordered these producers to immediately resume deliveries of natural gas to Tennessee from the aforesaid field, pending final action on the applications herein to abandon service, based on the requirement of section 7(b) of the Natural Gas Act, 15 U.S.C. 717f(b), that no "natural-gas company" shall abandon any portion of its facilities subject to the jurisdiction of the Commission or any service rendered by means of such facilities without the permission and approval of the Commission first having been obtained, after due hearing, and a finding by the Commission that the available supply of natural gas is depleted to the extent that continuance of service is unwarranted, or that the present or future public convenience and necessity permit such abandonment.

CONOCO filed on December 4, 1974, a motion for stay of the above order and an application for rehearing. Cities on the same basis filed its motion for stay of the Commission's order and application for rehearing.

In their motions for stay of the Commission's order directing an immediate resumption of service to Tennessee, the applicants assert that there are substantial issues of law as to the obligations of producers to continue such deliveries beyond a term expressly contemplated by the existing certificates, and the Commission's authority to compel deliveries beyond completion of the aforesaid sale. It was stated that the Commission staff had requested detailed reserve data, which was being prepared by CONOCO for submission. The producers state that they will be irreparably harmed, as gas delivered may not be recoverable, if they should ultimately prevail on the position that they were not required to deliver such gas. The producers also request that the intervenors provide bond to indemnify any loss of revenues to the extent that the sales are at rates less than the fair market value of the natural gas, such bond to be not less than three million dollars.

In *Virginia Petroleum Jobbers Association* v. *F.P.C.*, 259 F. 2d 921, 925 (D.C. Cir., 1958), the Court held that "mere injuries, however substantial, in terms of money, time and energy necessary expended in the absence of a stay, are not enough". The applicant for a stay has the burden of establishing, absent the grant of such relief, it would be irreparably harmed. The Commission may have the authority to grant the equitable relief requested, pendente lite, where a finding of irreparable harm was made and the public interest dictates. Such temporary cessation of service authorized by the Commission in certain exceptional circumstances would not be tantamount to an abandonment for which Section 7(b) authorization is first required since it would be contemplated that service would, if determined after hearing that the public convenience and necessity does not permit abandonment, be resumed. See, *F.P.C.* v. *Louisiana Power and Light Co.*, 406 U.S. 621 (1972); *Michigan Power Co.* v. *F.P.C.*, 494 F. 2d 1140 (D.C. Cir. 1974). However, these applicants have not made a showing that the cessation of deliveries would be in the public interest and any economic harm caused by continuation of deliveries can be redressed to the avenue of a temporary rate increase as suggested hereafter. Therefore, we do not order a stay or reverse our previous order. Furthermore, the Commission is not authorized or permitted to impose any such multimillion bonding requirements, based on "fair market value", as asserted by the applicants, nor is any such authority cited in the motions for stay. These motions, therefore, will be denied.

Applicants in their petitions for rehearing state that in Dockets CI72-9 and CI72-19, consolidated in *Tennessee Gas Pipeline Company, et al.*, Docket No. CP72-6, *et al.*, order issued May 30, 1972, they were certified to sell only ½ of their reserves from West Cameron Block 135 and that the remaining ½ interest were reserved for transportation for their own use onshore Louisiana, and are the subject of the application for transportation therein which is pending before the Commission for decision. CONOCO argues that the Commission cannot compel a producer to sell natural gas in interstate commerce and cannot compel a producer to apply for or accept a certificate for more than the producer has agreed to sell. It is correct only that the Commission has no authority to compel an involuntary seller to sell gas in interstate commerce where sales and deliveries have not commenced. Once deliveries are commenced, the requirements of Section 7(b) must be met prior to abandoning a sale.

As Tennessee was also authorized by the aforesaid order issued May 30, 1972, to construct and operate facilities to connect the West Cameron 135 Block Field to its onshore pipeline system, and in view of the termination of service by producers to Tennessee, the service to the public rendered by means of these facilities has been abandoned. Thus, there has been an abandonment of service to the public by both the producers and by the pipeline.

In the certification proceedings, Tennessee in its original application in Docket No. CP72-6, estimated the remaining recoverable reserves in the West Cameron Block 110 Field to be 119,932,000 Mcf at 14.73 psia as of January 1, 1971. Tennessee's 1973 Form 15 shows the remaining recoverable reserves to be 122,444,000 Mcf as of December 31, 1973. Applicants state that original recoverable reserves are 73,100,000 Mcf at 15.025 psia (74,563,462 Mcf at 14.73 psia). Applicants in their applications to abandon service herein stated that the gross recoverable reserves originally in place has been reduced to 73,100,000 Mcf at 15.025 psia and that gross production on July 31, 1974, was 35,175,761 Mcf at 15.025 psia. Thus, there is an issue of fact over the volume of recoverable reserves in this

field. Pending resolution of the hearing ordered hereafter, the producers are required to continue service. The Commission will direct a prompt formal hearing to obtain a determination of these and all other facts relating to the pending applications to abandon service.

We note that the prices contained in the producers' existing rate schedules are as follows: 28¢ per Mcf to 10-1-1974; 29¢ to 10-1-1978; 30¢ to 10-1-1982; 31¢ to 10-1-1986; and 32¢ thereafter. The producers have the option of negotiating contract amendments, which if filed as amendments to the certificates issued in Docket Nos. CI72-9 and CI72-19, may be the subject of temporary certificate orders pending outcome of the hearing on abandonment to protect their asserted right to higher rates.

Petitions to intervene were filed by Tennessee Gas Pipeline Company on October 31, 1974, and by Associated Gas Distributors on October 31, 1974. AGD filed a motion for hearing on November 15, 1974. The petitions and motions should be granted and the applications of both producers, which involve common issues of fact and law, as they each own one-half interest in production of gas, should be consolidated for hearing and decision.

The Commission further finds. (A) The above-named petitioners should be granted intervention in the above-described proceeding.

(B) The above proceedings should be consolidated for hearing and decision.

The Commission orders. (A) Pursuant to the authority conferred on the Federal Power Commission by the Natural Gas Act and the Commission's regulations under the Natural Gas Act, a public hearing will be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 respecting the issues set forth above and as contained in the applications above, at 10:00 a.m. (EST) on February 4, 1975.

(B) The petitioners named above are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission, provided that the participation of such interveners shall be limited to matters affecting the rights and interests specifically set forth in their petitions to intervene, and that the admission of such interveners shall not be construed as recognition by the Commission that they or any of them might be aggrieved, because of any order issued by the Commission in this proceeding.

(C) Applicants and interveners shall serve prepared testimony in support of their positions on issues in this proceeding, including prepared direct testimony of witnesses and exhibits, on the Office of the Administrative Law Judges, the Commission staff and every party to this proceeding on or before January 20, 1975.

(D) An Administrative Law Judge to be hereinafter designated by the Chief Administrative Law Judge shall preside at the hearing and, in his discretion shall control the proceedings hereafter.

(E) The proceedings in Docket Nos. CI75-191 and CI75-205 are hereby consolidated for hearing and decision.

(F) The motions of applicants for stay of the order of November 27, 1974, are denied.

(G) The application for rehearing by Cities Service and CONOCO are denied.

By the Commission.[1]

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-981 Filed 1-10-75;8:45 am]

[Docket No. RI75-46]

EXXON CORP.

Postponement of Hearing

JANUARY 3, 1975.

On January 3, 1975, Exxon Corporation filed a motion to postpone the hearing date fixed by order issued November 4, 1974 as most recently modified by notice issued December 11, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration notice is hereby given that the hearing date in the above matter is postponed until January 8, 1975, at 10:00 a.m. e.s.t.

MARY B. KIDD, *Acting Secretary.*

[FR Doc.75-982 Filed 1-10-75;8:45 am]

[Docket No. RP74-35]

UNITED NATURAL GAS CO.

Order Approving Settlement Agreement With Modification

JANUARY 6, 1975.

On July 31, 1974, the Presiding Administrative Law Judge certified to this Commission a proposed Settlement Agreement and accompanying record in this docket. If approved, the settlement agreement would resolve all issues in this proceeding.

These proceedings were initiated by United Natural Gas Company's (United Natural) filing of October 26, 1973, in which it sought approval of tariff revisions which would result in an annual revenue increase of $816,193. In addition to such increase, United Natural sought to add a purchased gas adjustment (PGA) clause to its tariff and increase revenues pursuant to such clause by $826,629 annually. By order issued December 10, 1973, we suspended the effective date of the rate increase until May 11, 1974, provided for a hearing, and rejected United Natural's increase pursuant to the PGA clause. We did, however, afford the company an opportunity to recover the increased purchased gas costs by allowing it to amend its requested rate increase to include adjustments for costs of purchased gas incurred from July 31, 1973 to December 11, 1973. Accordingly, on January 2, 1974, United filed substitute tariff sheets reflecting a total annual revenue increase of approximately $1,323,000, which were suspended until May 11, 1974.

The proposed settlement was noticed on August 14, 1974, with initial comments due on or before August 27, 1974, and responses due on or before September 10, 1974. Both Commission staff and United Natural filed comments explaining the relationship of this settlement to the corporate reorganization by which United Natural was absorbed by National Fuel Gas Supply Corporation (National Supply). The settlement rates in the instant docket apply to wholesale sales of National Fuel formerly made by United Natural. On June 28, 1974, in Docket No. RP74-100, United Natural, on behalf of National Supply, filed tariff sheets which would apply to all of National Supply's wholesale sales. The Commission suspended the effectiveness of the proposed tariff sheets until January 12, 1975.[1] Accordingly, the Settlement rates in Docket No. RP74-35 will be effective until January 12, 1975, when the rates will be superseded by the rates in Docket No. RP74-100.[2] Furthermore, in Docket No. RP74-101, National Supply filed interim rates which apply only to the wholesale sales by National Supply to National Fuel Gas Distribution Corporation for resale at retail in the distribution territory of the former United Natural. That is, the rates in RP74-101 apply to the former retail sales of United Natural. Accordingly, the interim rates in RP74-101 do not supersede the Settlement rates.

The settlement agreement provides for a reduction in the amount of United Natural's increase from $1,323,000 to $1,072,331, and a rate of return of 8.38 percent. The settlement also reflects classification of fixed costs on a 25-75 ratio between demand and commodity. Other provisions can be summarized as follows:

Article I provides that the company will file revised tariff sheets consistent with the terms of the settlement, to be effective as of July 1, 1974, within ten days after Commission approval of the Settlement Agreement.

Article II provides for refunds of amounts collected over those finally agreed upon, together with interest at an annual rate of 7 percent. Such refunds will be made by a credit to the first billing subsequent to the effective date of the settlement rates.

Article III contains a general reservation to the effect that neither the company, Commission Staff, nor any other person shall be deemed to have approved, accepted, agreed to, or consented to any rate of return, rate making principle, or

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[1] Commissioner Moody, dissenting, with whom Commissioner Brooke concurs, filed as part of original document.

[1] See order issued August 9, 1974, in National Fuel Gas Supply Corporation, Docket No. RP74-100.

[2] On October 31, 1974, in Docket No. RP74-100, the Commission issued an order granting National Supply's motion to permit collection of increased rates during the suspension period in that docket. These interim rates do not supersede the settlement rates in Docket No. RP74-35.

any method of cost of service or other determination, or any allocation underlying or supposed to underline the settlement.

Article IV provides that the agreement, or any of its provisions, shall not become effective unless and until this Commission (1) permits the settlement rates to take effect as provided for in the settlement, and (2) accepts the terms and conditions of the agreement without modification.

Based upon our review of the record and the pleadings in this docket, including the settlement agreement, we conclude that the proposed agreement represents a reasonable solution of the issues in this proceeding, is in the public interest and should be approved with one modification. Article II of the Settlement provides that refunds will be made to jurisdictional customers as if the Settlement rates would have been effective on May 11, 1974, together with interest at seven percent interest. Article I provides that the Settlement tariff sheets will become effective July 1, 1974. We believe that the public interest requires a modification of Article I to provide that the settlement tariff sheets shall become effective May 11, 1974. With this modification, we shall approve the settlement as hereinafter ordered.

The Commission finds. (1) The settlement of this proceeding on the basis of the settlement agreement filed in this docket is reasonable, appropriate and in the public interest, as hereinafter ordered.

(2) Good cause exists to modify the Article I of the proposed settlement to provide that the settlement rates shall become effective May 11, 1974.

The Commission orders. (A) The settlement agreement of United Natural, as certified to this Commission on July 31, 1974, in Docket No. RP74-35, is incorporated herein by reference, approved, and adopted subject to the terms and conditions of this order.

(B) Article I of the settlement agreement is hereby modified to provide that the settlement rates shall become effective May 11, 1974.

(C) Within ten days of the issuance of this order United Natural shall file revised tariff sheets and rate schedule changes reflecting rates which conform with the proposed settlement as herein approved.

(D) Pursuant to the terms of the agreement, United Natural shall refund, by way of a credit to the first billing subsequent to the effective date of the settlement rates, the difference between the revenues collected under rates subject to refund and the revenues permitted under settlement rates approved herein, with interest at the interest rate of 7 percent per annum.

(D) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by this Commission, and it is without prejudice to any claims or contentions which may be made by the Commission, its Staff, United Natural, or by any other party or person affected by this order in any proceedings now pending or hereafter instituted by or against United Natural or any other person or party.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A.—*Settlement cost of service for the 12 months ended July 31, 1973 adjusted*

Operating expenses	$53,007,436
Depreciation, depletion, and amortization	1,846,033
Federal income tax	1,490,039
Pennsylvania income tax	342,390
Other taxes	528,080
Credits to cost of service	(18,344)
Return	4,202,518
Total cost of service	61,398,152
Total jurisdiction cost of service	28,424,817
Less cost of service—original volume No. 2	(45,242)
Net cost of service—original volume No. 1	28,379,575

APPENDIX B.—*Schedule of rates to be effective May 11, 1974*

	Rate per thousand cubic feet of billing
Rate schedule:	
CD-1:	
Demand	$3.70
Commodity cents	47.61
100 percent load factor do	59.77
G-1 do	71.93

[FR Doc.75-987 Filed 1-10-75;8:45 am]

NATIONAL COMMISSION FOR MANPOWER POLICY

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770) notice is hereby given that the National Commission for Manpower Policy will have its second meeting on January 22, 1975. The meeting will be held at the Commission's headquarters located in Suite 300, 1522 K Street, NW., Washington, D.C., starting at 10 a.m.

The National Commission for Manpower Policy was established pursuant to Title V of the Comprehensive Employment and Training Act of 1973 (Pub. L. 93-203). The Act charges the Commission with the broad responsibility of advising the Congress, the President, the Secretary of Labor and other Federal agency heads on national manpower issues. The Commission is specifically charged with reporting annually to the President and the Congress on its findings and recommendations with respect to the Nation's manpower policies and programs.

The agenda for the Commission's meeting on January 22, 1975 will take up the following matters:

1. Review of Current Economic Developments.
2. Discussion of Plans for a Study Designed to Improve the Coordination of Federal Manpower Development and Training Programs.
3. Report on Recent Developments in the Formulation of an Energy Policy.

The meeting is open to the general public. Members of the public desiring to submit written statements to the Commission that are germane to the agenda may do so, provided such statements are in reproducible form and further provided that such statements are submitted to the Director no later than two days before or seven days after the meeting. In addition, oral statements may be made to the Commission if time permits. Such oral statements must be germane to the agenda, and a written application to make an oral statement must be submitted to the Director three days before the meeting.

Minutes of the meeting, working papers and other documents prepared for the meeting will be available for public inspection at the Commission's headquarters.

Signed at Washington, D.C., this 7th day of January 1975.

ROBERT T. HALL,
Director, National Commission for Manpower Policy.

This notice is late because of last minute changes in the agenda due to recent economic developments.

[FR Doc.75-966 Filed 1-10-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR HUMAN CELL BIOLOGY

Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Advisory Panel for Human Cell Biology to be held at 8:30 a.m. on January 31 and February 1, 1975, in room 517, 1800 G Street, NW., Washington, D.C.

The purpose of this Panel is to provide advice and recommendations in the evaluation of specific research proposals.

This meeting will not be open to the public because the panel will be reviewing, discussing, and evaluating individual research proposals. These proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of Section 10(d) of Pub. L. 92-463.

For further information about this panel, please contact Dr. Herman W. Lewis, Acting Program Director, Human Cell Biology, room 326, National Science

Foundation, Washington, D.C. 20550, telephone, 632-4200.

Dated: January 7, 1975.

FRED K. MURAKAMI,
Committee Management Officer.

[FR Doc.75-988 Filed 1-10-75;8:45 am]

OFFICE OF EQUAL OPPORTUNITY

USDA CITIZENS ADVISORY COMMITTEE ON CIVIL RIGHTS

Public Meeting

Pursuant to the provisions of the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), notice is hereby given that a public meeting of the USDA Citizens Advisory Committee on Civil Rights will be held on February 18, 19, 20, 1975, at Baton Rouge, Louisiana. The meeting will convene at 9 a.m. on each day and adjourn at 12 noon on February 20, 1975. The meeting is open to the public.

The purpose of the meeting is to look at USDA program delivery in the State of Louisiana and efforts to increase employment opportunities for minorities and women.

Further information concerning this meeting may be obtained by contacting the Director, Office of Equal Opportunity, Washington, D.C. 20250. Interested persons may file written statements with the committee before or after the meeting.

Done at Washington, D.C., this 7th day of January, 1975.

MILES S. WASHINGTON, Jr.,
Acting Director,
Office of Equal Opportunity.

[FR Doc.75-1016 Filed 1-10-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on 01/07/75 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (X) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF COMMERCE

National Bureau of Standards: Survey of Computer Information Service Users, NBS-1020, single-time, computer information service users, Lowry, R. L., 395-3772.

Bureau of Domestic Commerce:

Blood Derivatives of Human Origin, DIB-974, single-time, producers of blood derivatives, Weiner, N., 395-4890.

Effects of PA on Ammonia Plant Construction, DIB-983, single-time, ammonia producers, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Education:

Comprehensive Education Information System: Market Analysis, NIE 86A, single-time, education practitioners, administrators, etc., Planchon, P., 395-3898.

Career Education Implementation Evaluation: NIE 96, single-time, school district personnel, Planchon, P., 395-3898.

Patterns of School Functioning: 97, single-time, students and staff members of a public high school, Planchon, P., 395-3898.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Community Planning and Development, Model Cities Transition Procedures Handbook Forms, other (see SF-83), local governments with model cities, Human Resources Division, 395-3532.

REVISIONS

DEPARTMENT OF LABOR

Manpower Administration: Interstate Arrangement for Combining Employment and Wages, MA5-86, quarterly, State employment security offices, Lowry, R. L., 395-3772.

Bureau of Labor Statistics: Labor Turnover Statistics—West Virginia Mining Establishments, DL-1219, monthly business firms, Strasser, A., 395-3880.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Food and nutrition service: school breakfast and nonfood assistance programs regulations, on occasion, State agencies, school food authorities, Evinger, S. K., 395-3648.

DEPARTMENT OF STATE

Department of State (Excl. aid and action), Application for Renewal, Amendment, Extension of Passport, PS-299, on occasion, passport applicants, Evinger, S. K. 395-3648.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-1150 Filed 1-10-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 05/05-5092]

DAYTON MESBIC, INC.

Filing of Application for Approval of Conflict of Interest Transaction

Notice is hereby given that Dayton MESBIC, Inc. (Dayton), Grant-Deneau Tower, 40 West Fourth Street, Suite 910, Dayton, Ohio 45402, a small business investment company licensed under the provisions of section 301(d) of the Small Business Investment Act of 1958, as amended (Act), has filed an application pursuant to 13 CFR 107.1004 (1974), for approval of a conflict of interest transaction.

Dayton was licensed by the Small Business Administration (SBA) on April 12, 1973. The licensee's voting stock is owned by the City-Wide Development Corporation, a nonprofit organization funded with Model Cities Grant funds.

On December 5, 1974, the licensee's Board of Directors approved an application for a loan in the amount of $75,000 to the Cliff Corporation, d/b/a Pizza King/London Bobby, 837 South Gettysburg Avenue, Dayton, Ohio 45408, a firm in the fast-food service type business. The loan will bear interest at the rate of 12 percent per annum, and shall be subject to a 24-month moratorium on both principal and interest payments. The loan is to be repaid in 10 years. Mr. Clifford R. Robinson is the principal of this small business concern.

The transaction falls within the purview of the cited regulation by reason of the fact that Mr. Robinson is a member of the Board of Directors of the licensee.

Notice is hereby given that any interested person may submit to SBA written comments on this financing no later than January 28, 1975.

Any such communication should be addressed to: Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW, Washington, D.C. 20416.

A copy of this notice shall be published by the licensee in a newspaper of general circulation in Dayton, Ohio.

Dated: January 7, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-1021 Filed 1-10-75;8:45 am]

[Notice of Disaster Loan Area 1104, Amdt. 1]

OKLAHOMA

Amendment to Notice of Disaster Relief Availability

As a result of the President's declaration of the State of Oklahoma as a major disaster area following severe storms and flooding beginning on or about October 31, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from disaster victims in the following additional Counties: Dewey and Major, and adjacent affected areas. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines. (See 39 FR 43427.)

Applications may be filed at the:

Small Business Administration
District Office
50 Penn Place—Suite 840
Oklahoma City, Oklahoma 73118

and at such temporary offices as are established. Such addresses will be announced locally.

Applications for disaster loans under this announcement must be filed not later than March 3, 1975. EIDL applications will not be accepted subsequent to October 3, 1975.

Dated: January 6, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-1020 Filed 1-10-75;8:45 am]

[License No. 08/08-0037]

WESTERN VENTURE RESOURCES, INC.

Application for a License as a Small Business Investment Company

Notice is hereby given of the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations (13 CFR 107.102 (1974)) by Western Venture Resources, Inc., 1900 Lincoln Center Building, 1660 Lincoln Street, Denver, Colorado 80203, for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958 (the Act), as amended (15 U.S.C. 661 et seq.).

The proposed officers, directors and shareholders are:

David A. Kratter, 535 S. Garfield Street, Denver, Colorado 80209, President, Director, and 20 percent Shareholder.

Edgar F. Rampy, 3872 E. Geddes Avenue, Littleton, Colorado 80120, Vice President, Secretary Treasurer, and Director.

Douglas M. Pratt, 3920 South Birch Street, Englewood, Colorado 80110, Director.

National City Lines, Inc., Post Office Drawer 17-G, Terminal Annex, Denver, Colorado 80217, 80 percent Shareholder.

Major operations of National City Lines, Inc. includes general commodity trucking, automobile hauling, specialized heavy hauling, driveaway services of heavy duty trucks, manufacturing and distribution of transportation related parts.

The applicant will begin operations with a capitalization of $1.0 million and will be a source of equity capital and long-term loan funds for qualified small business concerns. In addition to financial assistance, the applicant will provide management services to small concerns.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and regulations.

Notice is further given that any person may, not later than January 28, 1975, submit written comments on the proposed company to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Denver, Colorado.

Date: January 8, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-1022 Filed 1-10-75;8:45 am]

OFFICE OF TELECOMMUNICATIONS POLICY

NATIONAL POLICY FOR THE USE OF TELECOMMUNICATIONS TO WARN THE GENERAL PUBLIC

Enemy Attacks or Natural Disasters

In November 1971, the Federal Government completed a review of national policies and programs for use of telecommunications to provide the American public with warning of an enemy attack or of natural disasters. It was established at that time, in a statement of national policy respecting home warning systems, that the acquisition and use of any warning receiver should be a voluntary decision by each citizen. Studies conducted since 1971 now have led the Government to update and reaffirm that policy.

It now has been established that in addition to the voluntary use of a warning receiver, the public interest would be served best by a single, Government operated system for warning citizens in their homes of enemy attack or natural disasters. In this regard, the National Oceanic and Atmospheric Administration (NOAA) Weather Radio will be the only Federally sponsored radio transmission of warning information to receivers optionally available to the general public.

The 1971 OTP policy statement committed the Federal Government to pursuing a program that would "establish a rapid, reliable warning capability, and * * * bring the cost of a warning receiver within the reach of every American citizen." To this end, a series of tests and studies were initiated to explore several proposed home warning systems and market demands for home receivers. During 1974, the results of these studies were reviewed by the Warning Steering Committee, an interagency group chaired by the Office of Telecommunications Policy, and including representatives of NOAA, the Defense Civil Preparedness Agency (DCPA), the Federal Communications Commission (FCC), the Office of Preparedness (OP), and the Department of Transportation (DOT).

The studies focused primarily on two alternative home warning systems. The first is the Decision Information Distribution System (DIDS) of the Department of Defense. Designed originally for enemy attack warning, its scope could be expanded to include warning citizens of natural disasters. The system is in the experimental stage. The second system is the National Weather Service's (NWS) VHF/FM Tone Alert System. (The NWS is an agency of NOAA.) This system already is operational for weather forecasting, and incorporates a special tone alert signal permitting receivers to be activated automatically if desired by the owner.

After analyzing these studies, OTP concluded that the NOAA system is the choice for priority expansion and will serve as the single national home warning system. The reasons for this are:

(1) It provides routine daily weather services, tailored to local areas, thereby enhancing the marketability of receivers;

(2) Federal investment required to complete coverage of most populated areas will be much less than the investment required to complete the DIDS transmitting system, and can be accomplished much sooner; and

(3) Inexpensive commercial receivers for this system are already on the market.

The development of alternative systems, if allowed to continue unchecked, could result not only in a needless proliferation of home warning systems but could also effectively split the market for receivers because of different technologies, which, in turn, might keep the cost of receivers so high as to be a serious obstacle to widespread voluntary purchase. Therefore, in order to avoid duplication, public confusion and unnecessary future financial burden on the public (as consumers and taxpayers), the NOAA Weather Radio will be the only Federally sponsored radio transmission of warning information to receivers optionally available to the general public. Other systems such as the Decision Information Distribution System (DIDS) should no longer be considered candidates for this function.

The market demand studies for home receivers indicated that many citizens would voluntarily purchase receivers capable of receiving home warning (if one were available), but that the total number of households with such receivers would not—for the foreseeable future—constitute a majority of the population. Therefore, this policy recognizes that Government operated home warning systems, with purchase of the receiver on a voluntary basis, can only supplement other existing warning systems.

The Warning Steering Committee, chaired by the Office of Telecommunications Policy, will coordinate efforts for the use of telecommunications for warning dissemination to attain a consolidated national warning capability. In support of this effort, NOAA and DCPA will develop necessary plans to use the NOAA Weather Radio as a supplementary attack warning system, and will further develop plans and procedures to

incorporate the civil defense siren systems into the consolidated warning system, as well as to maximize the provision of warning information to radio and television stations.

Date: January 13, 1975.

JOHN M. EGER,
Acting Director.

[FR Doc.75-1152 Filed 1-10-75;8:45 am]

DEPARTMENT OF LABOR

Labor-Management Services Administration

PROPOSED EXEMPTION FROM PROHIBITIONS ON TRANSACTIONS BETWEEN EMPLOYEE BENEFIT PLANS AND CERTAIN BROKER-DEALERS

Hearing on Exemption Proceeding

Notice of the pendency of an exemption proceeding for certain broker-dealers from all or part of the restrictions of section 406 of the Employee Retirement Income Security Act of 1974 (relating to prohibited transactions) appears in this issue of the FEDERAL REGISTER at p. 2455.

A public hearing with respect to the exemption proceeding will be held on January 21, 1975, beginning at 10 a.m., e.s.t., in the George S. Boutwell Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Ave., NW., Washington, D.C. 20224.

Any interested person who desires to present oral comments at the hearing and who wishes to be assured of being heard shall submit a statement to that effect, and the time he wishes to devote, by 3:30 p.m., e.s.t., on January 20, 1975. The statement should be submitted to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224. An agenda will then be prepared containing the order of presentation of oral comments and the time allotted to such presentation. Ordinarily, a period of 10 minutes will be the time allotted to each person for making his oral comments.

At the conclusion of the presentations of comments by persons listed in the agenda, to the extent time permits, other comments will be received. The public hearing will be transcribed.

A person wishing to make oral comments at the hearing may do so without filing written comments. Persons making oral comments should be prepared to answer questions regarding information brought forth in their comments (including written comments, if any).

Persons who plan to attend the hearing should notify the Commissioner at the above address or telephone (Washington, D.C.) 202-964-3935 by January 20, 1975.

The public hearing will be held simultaneously and in conjunction with that of the Commissioner of Internal Revenue at the same time, place, date, and manner. The notice of hearing of the Internal Revenue Service appears in this issue on p. 2455.

Signed at Washington, D.C., this 10th day of January, 1975.

PAUL J. FASSER, Jr.,
Assistant Secretary of Labor for Labor-Management Relations.

[FR Doc.75-1223 Filed 1-10-75;10:35 am]

PROPOSED EXEMPTION FROM PROHIBITIONS ON TRANSACTIONS BETWEEN EMPLOYEE BENEFIT PLANS AND CERTAIN BROKER-DEALERS

Exemption Proceeding

Notice is hereby given of an exemption proceeding under section 408(a) of the Employee Retirement Income Security Act of 1974 (the Act). The exemption to be considered would apply to certain transactions between employee benefit plans subject to Title I of the Act and certain broker-dealers. Applications for exemption have been made by and on behalf of the Securities Industry Association, the National Association of Securities Dealers and certain broker-dealers.

The applications state that there is great uncertainty in the securities industry over the nature and extent to which ordinary and customary transactions between broker-dealers and employee benefit plans are subject to the prohibited transactions provisions of section 406 of the Act, or are covered by the transitional rule provided by section 414 (c) (4) of the Act, and the extent to which broker-dealers fall within the definitions of party in interest and fiduciary contained in sections 3(14) and 3(21) of the Act. Citing the recent effective date of January 1, 1975 of Part 4, Title I of the Act, the complexity of the provisions of such part, the risks of civil liability, and the potential disruption to the capital market, with the attendant possible adverse consequences to the funds of employee benefit plans and to the participants and beneficiaries of such plans, the applicants have requested that an exemption be granted pursuant to section 408(a) of the Act.

The Securities and Exchange Commission has expressed deep concern about the uncertainty in the securities industry over the application of such provisions and the potential disruption to the capital market.

On the basis of the applications and the concern expressed by the Securities and Exchange Commission, this notice invites written comments concerning such exemption proceeding. Pursuant to such proceeding, notice is hereby given that the exemption set forth in tentative form in the attached appendix is proposed to be granted.

Before granting any such exemption, consideration will be given to any comments pertaining thereto which are submitted in writing to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by January 21, 1975. Every written comment submitted in response to this notice will be made part of the record and is subject in its entirety to public inspection and will be made available for copying through the Internal Revenue Service in accordance with procedures similar to procedures of 26 CFR 601.702 (d) (9).

A public hearing will be held simultaneously and in conjunction with that of the Commissioner of Internal Revenue, and notice of the time, place, date and manner of the public hearing is simultaneously published herewith.

Before an exemption may be granted, a determination on the record must be made that such exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries, and protective of the rights of participants and beneficiaries of the plan. This determination will be made upon comments submitted in writing or at the public hearing.

Signed at Washington, D.C., this 10th day of January, 1975.

PAUL J. FASSER, Jr.,
Assistant Secretary of Labor for Labor-Management Relations.

APPENDIX

PROPOSED EXEMPTION FROM PROHIBITIONS ON TRANSACTIONS BETWEEN EMPLOYEE BENEFIT PLANS AND CERTAIN BROKER-DEALERS

The following interim exemption is proposed to be granted under the authority of section 408(a) of the Employee Retirement Income Security Act of 1974:

The restrictions of section 406 do not apply to the following transactions:

(a) *Period from January 1, 1975 through February 14, 1975.* With respect to a broker-dealer registered under the Securities Exchange Act of 1934 or a reporting dealer who makes primary markets in Government securities and reports daily to the Federal Reserve Bank of New York its positions with respect to Government securities and borrowings thereon, any purchase or sale of a security between an employee benefit plan and such a broker-dealer or such a reporting dealer, which purchase or sale has a final settlement date before February 15, 1975, if:—

(1) Such a broker-dealer, or reporting dealer, ordinarily and customarily engaged in similar transactions on December 31, 1974;

(2) Such transaction is at least as favorable to the plan as an arm's length transaction with an unrelated party would be; and

(3) The transaction was not, at the time of such transaction, a prohibited transaction (within the meaning of section 503(b) of the Internal Revenue Code of 1954 or the corresponding provisions of prior law).

(b) *Period ending April 30, 1975.* With respect to a broker-dealer or reporting dealer within the meaning of paragraph (a) of this appendix, any purchase or sale of a security between an employee benefit plan and such a broker-dealer or such a reporting dealer which has a final settlement date after February 14, 1975 but before May 1, 1975, if the requirements of paragraph (a) (1), (2) and (3) of this appendix are met and if such broker-dealer or such reporting dealer does not render investment advice to the plan, and does not fall within section 3(21)(A)(i) or (iii) of the Employee Retirement Income Security Act of 1974. For purposes of this paragraph, a broker-dealer or reporting dealer shall not be deemed to be rendering investment advice if the advice

rendered is solely incidental to the conduct of its business as broker or dealer and if it receives no special compensation therefor (within the meaning of section 202(a)(11)(C) of the Investment Advisers' Act of 1940) and shall not be deemed to be rendering investment advice to the extent that it values securities for a plan or provides securities custodial services.

(c) *Affiliates.* For purposes of paragraphs (a) and (b) of this appendix, affiliates of any broker-dealer or reporting dealer shall be deemed to be part of such broker-dealer or reporting dealer.

[FR Doc.75-1224 Filed 1-10-75;10:35 am]

Office of the Secretary

ADVISORY COMMITTEES

Review and Renewal

In accordance with the provisions of the Federal Advisory Committee Act and the provisions of OMB Circular No. A-63 Revised and as amended by Transmittal Memoranda Nos. 1 and 2, and OMB Bulletin 75-2, a review was conducted as to the necessity of all Department of Labor advisory committees which were in existence when the Federal Advisory Committee Act went into effect on January 5, 1973. After consultation with OMB, it has been determined that renewal of the following committees for another two years is in the public interest in accordance with duties imposed upon the Department of Labor by law:

Advisory Committee on Construction Safety and Health
Advisory Committee on Sheltered Workshops
Business Research Advisory Council and its 7 subcommittees
- Committee on Consumer and Wholesale Prices
- Committee on Economic Growth
- Committee on Foreign Labor and Trade
- Committee on Manpower and Employment
- Committee on Occupational Safety and Health
- Committee on Productivity and Technological Developments
- Committee on Wages and Industrial Relations

Citizens' Advisory Council on the Status of Women
Federal Advisory Council on Employment Security
Federal Advisory Council on Occupational Safety and Health
Federal Advisory Council on Unemployment Insurance
Federal Committee on Apprenticeship
Labor Research Advisory Council and its 6 subcommittees
- Committee on Foreign Labor and Trade
- Committee on Manpower and Employment
- Committee on Occupational Safety and Health
- Committee on Prices and Living Conditions
- Committee on Productivity, Technology and Growth
- Committee on Wages and Industrial Relations

National Advisory Committee on Occupational Safety and Health
National Labor-Management Mobilization Planning Committee
Standards Advisory Committee on Agriculture

Copies of the present charters of these committees have been filed with the appropriate committees of the Congress and are on file for public inspection at the Library of Congress. Copies of the new charters will be filed in the same manner.

Signed at Washington, D.C., this 7th day of January 1975.

FRED G. CLARK,
Assistant Secretary for Administration and Management.

[FR Doc.75-967 Filed 1-10-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 671]

ASSIGNMENT OF HEARINGS

JANUARY 8, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC-F-12093, Crouch Bros., Inc.—Purchase (Portion)—Bestway Freight Lines, Inc., and MC-F-12104, Illinois-California Express, Inc.—Purchase (Portion)—Bestway Freight Lines, Inc., now assigned January 14, 1975, at Oklahoma City, Okla., is cancelled; reassigned February 25, 1975 (5 days), at Oklahoma City, Okla., in a hearing room to be later designated.

FD 27620, Maine Central Railroad Company V. Amoskeag Company, Frederick C. Dumaine and Dumaines, now assigned January 20, 1975, is postponed to February 18, 1975, at Bangor, Maine, Room 221, Federal Building.

FD 27621, Amoskeag Company—Control—Maine Central Railroad Company, now assigned January 20, 1975, is postponed to February 18, 1975, at Bangor, Maine, Room 221, Federal Building.

MC 115300 Sub 2, Charles Simmons, Sr., DBA Hilton Head Truck Lines, now assigned January 20, 1975 (1 week), will be held in Hearing Room 2, Municipal Court Building, 811 Washington St., Columbia, S.C. Hearing will Commence at 11:00 a.m. Local Time, instead of 9:30 a.m. on the first day, only.

MC 531 Sub 299, Younger Brothers, Inc., now being assigned January 28, 1975 (2 days), at Dallas, Tex., in Room 5A15-17, Federal Building, 1100 Commerce Street.

MC 102567 Sub 176, McNair Transport, Inc., now being assigned January 28, 1975 (2 days), at Dallas, Tex., in Room 5A15-17, Federal Building, 1100 Commerce Street.

MC 102567 Sub 177, McNair Transport, Inc., now being assigned January 28, 1975 (2 days), at Dallas, Tex., in Room 5A15-17, Federal Building, 1100 Commerce Street.

MC 107064 Sub 105, Steere Tank Lines, Inc., now being assigned January 28, 1975 (2 days), at Dallas, Tex., in Room 5A15-17, Federal Building, 1100 Commerce Street.

MC 107064 Sub 106, Steere Tank Lines, Inc., now being assigned January 28, 1975 (3 days), at Dallas, Tex., in Room 5A15-17, Federal Building, 1100 Commerce Street.

MC 107403 Sub 899, Matlack, Inc., now being assigned January 28, 1975 (2 days), at Dallas, Tex., in Room 5A15-17, Federal Building, 1100 Commerce Street.

MC 139254, Brooks Transportation, Inc., now assigned January 27, 1975, at Cleveland, Ohio, will be held in Room 2061, 20th Floor, Federal Building.

MC 139743 Sub 2, Georgia Carpet Express, Inc., now assigned March 5, 1975, at Atlanta, Georgia, postponed indefinitely. No. 35997, Aurora Cooperative Elevator Company v. Burlington Northern, Inc. No. 35997 (Sub-No. 1), Aurora Elevator Company v. Burlington Northern, Inc., now assigned January 21, 1975, Lincoln, Nebraska, will be held in the U.S. Courthouse, 129 North 10th Street.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1055 Filed 1-10-75;8:45 am]

[AB 1 (Sub-No. 37)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment Between Fairmont and Truman, Martin County, Minnesota

DECEMBER 31, 1974.

The Interstate Commerce Commission hereby gives notice that: 1. On Monday, November 25, 1974, notice was published in Martin County, Minn., that an environmental threshold assessment survey was made in the above-entitled proceeding and based on that assessment an order was served finding that the proceeding does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq. 2. No comments in opposition, of an environmental nature, were received by the Commission in response to the November 25, 1974 notice. 3. This proceeding is now ready for further disposition within the Office of Hearings or the Office of Proceedings as appropriate.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1059 Filed 1-10-75;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 8, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

FSA No. 42924—*Joint Water-Rail Container Rates—Phoenix Container Liners Ltd.* Filed by Phoenix Container Liners Ltd., (No. 9), for itself and interested rail carriers. Rates on general commodities, between ports in Japan, Korea, Hong Kong, Taiwan, The Philippines, The Federation of Malaysia, Republic of Singapore and Macao, and rail stations on the U.S. Atlantic and Gulf Seaboard.

Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-1056 Filed 1-10-75;8:45 am]

[Ex Parte 299]

INCREASE IN FREIGHT RATES AND CHARGES TO OFFSET RETIREMENT TAX INCREASES—1973

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 7th day of January, 1975.

It appearing, That pursuant to section 15a(4)(b) of the Interstate Commerce Act, the Commission has approved an interim increase of 2.8 percent in the railroad petitioners' general level of rates and charges to offset increased expenses which they experienced as a result of the Railroad Retirement Amendments of 1973, P.L. 93-69, 87 Stat. 162;

It further appearing, That the evidence submitted in this proceeding for the third and fourth calendar quarters of 1973 and the four calendar quarters of 1974 consists of projected data only;

And it further appearing, That the data pertaining to these actual increased expenses and increased freight revenues is now available to the railroad petitioners;

And it further appearing, That submission of this data by Class I line-haul railroads would be representative of the increased expenses incurred by all petitioners and the revenue yield generated by the interim increase and accordingly is deemed sufficient for our purposes;

Wherefore, and for good cause:

We find, That the Class I line-haul railroad petitioners should be required to submit the data specified in the following paragraphs.

It is ordered, That the Class I line-haul railroad petitioners are directed to file with this Commission the following data and information by February 10, 1975, which shall disclose: [1]

(a) The amount of increases in expenses of each carrier resulting from any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on or before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973, by showing for the fourth quarter of 1973 and for each quarter of 1974—

(1) The mid-month number of employees,

(2) The total service hours by operating and other employees, as reported in ICC wage statistics, Forms A and B,

(3) The total compensation paid for operating and other employees, as reported in ICC wage statistics, Forms A and B,

(4) The total compensation subject to retirement taxes,

(5) The retirement taxes paid,

(6) The retirement tax rate,

(7) The retirement taxes reimbursed by AMTRAK and other public authorities,

(8) The total dollar amount of tax increases resulting from the increased tax rates.

(b) The dollar amount obtained from the increased freight rates showing for the fourth quarter of 1973 and for each quarter of 1974—

(1) The freight revenue ton miles,

(2) The freight revenues,

(3) The freight revenues obtained from the interim increases granted in this proceeding.

(c) Specify rate holddowns and exceptions by individual roads and districts, if any, subsequent to the submission of evidence in this proceeding with reasons for such exceptions and effect on freight revenues.

(d) The availability of means other than a rate increased by which carriers might absorb or offset such increases in expenses, identifying the means considered.

(e) The method of making refunds as well as evidence that any repayment shall be prompt and complete.

And it is further ordered, That notice of the entry of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission and by filing a copy with the Office of the Federal Register for publication therein.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (See Environmental Threshold Assessment Survey issued in this proceeding and Ex Parte No. 303, Increased Freight Rates and Charges, 1974, Nationwide, on December 3, 1974, and attached as an appendix to our order in Ex Parte No. 303 served December 4, 1974). Nor will the proposed action, limited as it is to the application of the Railroad Retirement Amendments of 1973, Pub. L. 93-69, 87 Stat. 162, serve as a precedent for Commission action not directly related to the Railroad Retirement Amendments of 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-1060 Filed 1-10-75;8:45 am]

[1] The data should be furnished individually by carrier and then summarized by district, and nationwide; the methods used to derive the estimates must be reflected, including assumptions used; and all underlying work papers must be made available to the Commission upon request.

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JANUARY 8, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's gateway elimination rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before January 23, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 31462 (Sub-No. E52), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Household goods,* as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of (1) Ft. Wayne, Ind., or any point in Indiana within 40 miles thereof; (2) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (3) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E53), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Household goods,* as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Connecticut. The purpose of this filing is to eliminate the gateway of (1) Ft. Wayne, Ind., or any point in Indiana within 40 miles thereof, and (2) Burlington, Iowa, or any point in Iowa within 50 miles thereof.

No. MC 31462 (Sub-No. E54), filed May 13, 1974. Applicant: PARAMOUNT

MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in North Dakota. The purpose of this filing is to eliminate the gateway of (1) Fort Wayne, Ind., or any points in Indiana within 40 miles thereof; (2) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (3) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E55), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Connecticut, on the one hand, and, on the other, points in Nebraska. The purpose of this filing is to eliminate the gateway of (1) Ft. Wayne, Ind., or any point in Indiana within 40 miles thereof; (2) Burlington, Iowa, or any point in Iowa or Illinois within 50 miles thereof.

No. MC 31462 (Sub-No. E366), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in New Jersey, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateways of (1) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; (2) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (3) any point which is both within 35 miles of Alden, Mirn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E367), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Oklahoma, on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateway of (1) Kansas City, Mo., or any point within 30 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E368), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in New Jersey, on the one hand, and, on the other, points in North Dakota. The purpose of this filing is to eliminate the gateways of (1) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; (2) Burlington, Iowa, or any point in Iowa within 40 miles thereof; and (3) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E369), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Oklahoma, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E370), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in South Dakota, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of (1) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; (2) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (3) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E371), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in North Dakota, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of (1) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; (2) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (3) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 60157 (Sub-No. E2), filed May 10, 1974. Applicant: C. A. WHITE TRUCKING CO., INC., 5327 N. Central Expressway, Suite 310, Dallas, Tex. 75205. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, Tex. 76116. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and by-products, and machinery, materials, equipment, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, and *earth drilling machinery and equipment, machinery, equipment, materials, supplies*, and *pipe* incidental to, used in, or in connection with; (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, (1) from points in that part of Texas west of a line beginning at the International Boundary line between the United States and Mexico and extending along U.S. Highway 67 to Marfa, thence along Texas Highway 17 to Pecos, thence along U.S. Highway 285 to the Texas-New Mexico State line, and points in that part of Texas north of a line beginning at the Texas-New Mexico State line and extending along U.S. Highway 82 to Ralls, thence along U.S. Highway 62 to Matador, thence along U.S. Highway 70 to the Prairie Dog Town Fork of the Red River, thence along Prairie Dog Town Fork of the Red River to the Texas-Oklahoma State line, to points in Arkansas; and (2) from points in Arkansas, to points in those parts of Texas described immediately above. The purpose of this filing is to eliminate the gateways of Seminole and Pottawatomie Counties, Okla.

No. MC 97841 (Sub-No. E6), filed June 4, 1974. Applicant: GENERAL HIGHWAY EXPRESS, INC., P.O. Box 727, Sidney, Ohio 45365. Applicant's representative: Paul F. Beeny, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, between Portsmouth, Ohio, on the one hand, and, on the other, those points on or bounded by a line beginning at Lake Erie and extending along U.S. Highway 20 to its junction with U.S. Highway 127, thence along U.S. Highway 127 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to its junction with Interstate Highway 75, thence along Interstate Highway 75 to its junction with U.S. Highway 20. The purpose of this filing is to eliminate the gateway of Sidney, Ohio.

No. MC 97841 (Sub-No. E7), filed June 4, 1974. Applicant: GENERAL HIGHWAY EXPRESS, INC., P.O. Box 727, Sidney, Ohio 45365. Applicant's representative: Paul F. Beeny, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, between Marietta, Ohio, on the one hand, and, on the other, those points in Ohio on or bounded by a line beginning at the Indiana-Ohio State line and extending along Interstate Highway 70 to its junction with Interstate Highway 75, thence along Interstate Highway 75 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to the Ohio-Indiana State line. The purpose of this filing is to eliminate the gateway of Sidney, Ohio.

No. MC 97841 (Sub-No. E8), filed June 4, 1974. Applicant: GENERAL HIGHWAY EXPRESS, INC., P.O. Box 727, Sidney, Ohio 45365. Applicant's representative: Paul F. Beeny, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, between East Liverpool, Steubenville, and Martins Ferry, Ohio, on the one hand, and, on the other, those points in Ohio on or bounded by a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 50 to its junction with U.S. Highway 42, thence along U.S. Highway 42 to its junction with Ohio Highway 48, thence along Ohio Highway 48 to its junction with Ohio Highway 235, thence along Ohio Highway 235 to its junction with U.S. Highway 33, thence along U.S. Highway 33 to its junction with Ohio Highway 196, thence along Ohio Highway 196 to its junction with Ohio Highway 117, thence along Ohio Highway 117 to its junction with U.S. Highway 30S, thence along U.S. Highway 30S to its junction with U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State line. The purpose of this filing is to eliminate the gateway of Sidney, Ohio.

No. MC 107403 (Sub-No. E86), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677 (except petroleum products and coal tar products), in bulk, in tank vehicles, from points in Maryland which are within 100 miles of Philadelphia, Pa., to points in Nebraska and Minnesota (except Fillmore, Houston, and Winona Counties). The purpose of this filing is to eliminate the gateways of Philadelphia, Pa., Natrium, W. Va., and Mapleton, Ill.

No. MC 107403 (Sub-No. E87), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Maryland which are within 100 miles of Philadelphia, Pa., to points in that part of Kentucky west of U.S. Highway 27. The purpose of this filing is to eliminate the gateways of Marcus Hook, Pa., Natrium, W. Va., and Ironton, Ohio.

No. MC 107403 (Sub-No. E92), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Camden, Edgewater, and Dundee, N.J., and from points in New Jersey north of New Jersey Highway 33, to points in Indiana, Kentucky, and Michigan. The purpose of this filing is to eliminate the gateways of Butler, Pa., and Zanesville, Ohio.

No. MC 107403 (Sub-No. E92A), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from points in that part of New Jersey north of New Jersey Highway 33 to points in that part of Ohio north of U.S. Highway 30 which are within 150 miles of Monongahela, Pa. (except Ashtabula and Lake County, Ohio). The purpose of this filing is to eliminate the gateways of Philadelphia, Pittsburgh, and points in Cambria County, Pa.

No. MC 107403 (Sub-No. E92B), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Camden, N.J., to points in Ohio. The purpose of this filing is to eliminate the gateways of points in Cambria County, Pa., and Pittsburgh, Pa.

No. MC 107403 (Sub-No. E92C), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from points in that part of New Jersey north of New Jersey Highway 33 to points in that part of Ohio north of U.S. Highway 30 which are within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateways of points in Mercer County and Philadelphia, Pa.

No. MC 107403 (Sub-No. E92D), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from points in that part of New Jersey north of New Jersey Highway 33 to points in Ashtabula and Lake Counties, Ohio. The purpose of this filing is to eliminate the gateways of Philadelphia, Pa.

No. MC 107403 (Sub-No. E96), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Carneys Point, Deepwater, and Gibbsboro, N.J., Chester, Pa., and points in that part of New Jersey north of New Jersey Highway 33, to points in Ohio and West Virginia (except points within 150 miles of Monongahela, Pa.). The purpose of this filing is to eliminate the gateways of Johnstown, Philadelphia, and Pittsburgh, Pa., and Camden, N.J.

No. MC 107403 (Sub-No. E96A), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Carneys Point, Deepwater, and Gibbsboro, N.J., and Chester, Pa., and points in that part of New Jersey north of New Jersey Highway 33, to points in Brooke, Hancock, Marshall, Ohio, and Wetzel Counties, W. Va. The purpose of this filing is to eliminate the gateways of Camden, N.J., Philadelphia, Pa., and points in Cambria County, N.J.

No. MC 107403 (Sub-No. E471), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Foundary sand additives* (except fly ash, portland or masonry cement), dry, in bulk, in tank or hopper type vehicles, from Wadsworth, Ohio, to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of Spring City, Pa.

No. MC 107403 (Sub-No. E472), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank or hopper type vehicles, from Pataskala, Ohio, to points in South Carolina and in that part of North Carolina on and west of U.S. Highway 231. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 107403 (Sub-No. E496), filed May 29, 1974. Applicant: MATLACK, INC. 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* as described in *The Maxwell Co., Extension-Addyston*, in bulk, in tank vehicles, from Ironton and South Point, Ohio, to points in New York (except points in Long Island and points within 100 miles of Philadelphia, Pa.). The purpose of this filing is to eliminate the gateways of Pittsburgh, Pa., and Painesville, Ohio.

No. MC 107403 (Sub-No. E496A), filed May 29, 1974. Applicant: MATLACK, INC. 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum products and coal tar products), in bulk, in tank vehicles, from Ironton and South Point, Ohio, to points in New York which are within 100 miles of Philadelphia, Pa. The purpose of this filing is to eliminate the gateway of Morristown, Pa.

No. MC 107403 (Sub-No. E498), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except such oils and greases as may be included in the term "chemicals"), in bulk, in tank vehicles, from Ironton and South Point, Ohio, to points in Wisconsin and that part of Illinois on and north of U.S. Highway 64. The purpose of this filing is to eliminate the gateway of Ft. Wayne, Ind.

No. MC 107403 (Sub-No. E501), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except such oils and greases as may be included in the term "chemicals"), in bulk, in tank vehicles, from Riverview, Ohio, to points in Kansas, and that part of Missouri on and north of U.S. Highway 62. The purpose of this filing is to eliminate the gateways of Fort Wayne, Ind., and Millsdale, Ill.

No. MC 107403 (Sub-No. E502), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, in bulk, from Carey and Broken Sword, Ohio, and points in Ottawa and Sandusky Counties, Ohio, to points in Maryland and West Virginia which are within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 107403 (Sub-No. E502A), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products*, in bulk, from points in Ottawa and Sandusky Counties, Ohio, and from Carey and Broken Sword, Ohio, to points in that part of Pennsylvania east of U.S. Highway 219. The purpose of this filing is to eliminate the gateways of points in Mercer County, Pa., and Ashtabula County, Ohio.

No. MC 107403 (Sub-No. E508), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products* (except petro-chemicals), in bulk, in tank vehicles, from points in Ohio on, north, and west of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 30 to its junction with U.S. Highway 30S, thence along U.S. Highway 30S to its junction with Ohio Highway 98, thence along Ohio Highway 98 to its junction with Ohio Highway 61, thence along Ohio Highway 61 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its junction with U.S. Highway 250, thence along U.S. Highway 250 to Sandusky, to points in New York (except points in Chautauqua, Erie, and Niagara Counties). The purpose of this filing is to eliminate the gateways of Cleveland, Ohio, and Congo, W. Va.

No. MC 107403 (Sub-No. E600), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from that part of Kentucky east of a line beginning at the Ohio-Kentucky State line, thence along Kentucky Highway 11 to its junction with Kentucky Highway 92, thence along Kentucky Highway 92 to its junction with Interstate Highway 75, thence along Interstate Highway 75 to the Kentucky-Tennessee State line, to points in that part of Indiana north of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 224 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to the Indiana-Illinois State line. The purpose of this filing is to eliminate the gateways of Condit and Pataskala, Ohio.

No. MC 107403 (Sub-No. E603), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in that part of Pennsylvania west of U.S. Highway 219 which are within 150 miles of Monongahela, Pa., to points in Burlington, Essex, Gloucester, Mercer, Middlesex, Morris, Passaic, Somerset, and Union Counties, N.J. The purpose of this filing is to eliminate the gateway of Johnsonburg or Newell, Pa.

No. MC 107403 (Sub-No. E604), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in that part of Pennsylvania west of U.S. Highway 219 which are within 150 miles of Monongahela, Pa., to points in Camden, Cumberland, Essex, Hudson, Mercer, Monmouth, Middlesex, Morris, Passaic, and Union Counties, N.J. The purpose of this filing is to eliminate the gateway of Clairton, Pa.

No. MC 107403 (Sub-No. E606), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non-flammable liquids* (except petroleum products and coal tar products), in bulk, in tank vehicles, from points in Connecticut, Massachusetts, Rhode Island, and New York, to points in that part of Maryland west of Interstate Highway 81 which are within 150 miles of Monongahela, Pa., and in that part of West Virginia west of Interstate Highway 81 which are within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateway of Lewistown, Pa.

No. MC 113459 (Sub-No. E14), filed May 6, 1974. Applicant: H. J. JEFFRIES

TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies when moving in connection therewith, restricted to commodities which are transported on trailers, (a) between points in that part of Illinois on and east of a line beginning at the Illinois-Wisconsin State line and extending along Illinois Highway 78 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with Illinois Highway 84, thence along Illinois Highway 84 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with Illinois Highway 78, thence along Illinois Highway 78 to its junction with Interstate Highway 74, thence along Interstate Highway 74 to its junction with Illinois Highway 29, thence along Illinois Highway 29 to its junction with Illinois Highway 16, thence along Illinois Highway 16 to its junction with Illinois Highway 128, thence along Illinois Highway 128 to its junction with Illinois Highway 33, thence along Illinois Highway 33 to its junction with U.S. Highway 45, thence along U.S. Highway 45 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to the Illinois-Indiana State line, on the one hand, and, on the other, points in that part of Nebraska on and north of a line beginning at the Colorado-Nebraska State line and extending along Interstate Highway 80 to its junction with Nebraska Highway 61, thence along Nebraska Highway 61 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with U.S. Highway 283, thence along U.S. Highway 283 to its junction with Nebraska Highway 21, thence along Nebraska Highway 21 to its junction with Nebraska Highway 2, thence along Nebraska Highway 2 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to the Nebraska-Iowa State line, (b) between points in that part of Illinois on and west of a line beginning at the Indiana-Missouri State line and extending along Illinois Highway 140 to its junction with Illinois Highway 159, thence along Illinois Highway 159 to its junction with Illinois Highway 158, thence along Illinois Highway 158 to its junction with Illinois Highway 3, thence along Illinois Highway 3 to its junction with U.S. Highway 50 By-Pass, thence along U.S. Highway 50 By-Pass to the Illinois-Missouri State line, on the one hand, and, on the other, points in that part of Nebraska on and north of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 385 to its junction with Nebraska Highway 2, thence along Nebraska Highway 2 to its junction with Nebraska Highway 91, thence along Nebraska Highway 91 to its junction with Nebraska Highway 70, thence along Nebraska Highway 70 to its junction with U.S. Highway 275, thence along U.S. Highway 275 to its junction with Nebraska Highway 35, thence along Nebraska Highway 35 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Iowa State line, and (c) between points in that part of Illinois on and east of a line beginning at the Illinois-Wisconsin State line and extending along Illinois Highway 26 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with U.S. Highway 51, thence along U.S. Highway 51 to its junction with Interstate Highway 74, thence along Interstate Highway 74 to its junction with Illinois Highway 49, thence along Illinois Highway 49 to its junction with Illinois Highway 33, thence along Illinois Highway 33 to its junction with Illinois Highway 1, thence along Illinois Highway 1 to its junction with Illinois Highway 15, thence along Illinois Highway 15 to the Illinois-Indiana State line, on the one hand, and, on the other, points in that part of Nebraska on and east of a line beginning at the Nebraska-Iowa State line, and extending along U.S. Highway 30 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line. Restriction: The operations authorized above are restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC 113855 (Sub-No. E25), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such tractors, frontend loaders, lift trucks, machinery and equipment* used or useful in the lumber and logging industries, and *attachments and parts* of the above-named commodities when moving in mixed loads with the above-named commodities, which are material handling equipment, from the port of entry on the United States-Canada International Boundary line at Pigeon River, Minn., to points in California (except points in Imperial County and those in Riverside and Bernadino Counties east of U.S. Highway 395), restricted to the transportation of shipments in foreign commerce only. The purpose of this filing is to eliminate the gateway of Sparks, Nev.

No. MC 113855 (Sub-No. E103), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* the transportation of which, because of their size or weight, require the use of special equipment, and related machinery, parts, and related contractors' materials and supplies when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require the use of special equipment; and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and related machinery, tools, parts, and supplies moving in connection therewith (restricted to commodities transported on trailers), (a) between points in California in and north of Santa Cruz, Santa Clara, Stanislaus, Tuolumne, and Alpine Counties, on the one hand, and, on the other, points in Kansas, (b) between points in California in and south of a line formed by southern boundary of counties described in (A) above and north of a line formed by the southern boundaries of San Luis Obispo, Kern, Inyo Counties, on the one hand, and, on the other, points in Kansas on and north of U.S. Highway 70, (c) between points in California in Santa Barbara, Ventura, Los Angeles, and Orange Counties and those points in San Bernardino and Riverside Counties on and west of U.S. Highway 395, on the one hand, and, on the other, Kansas, points on, north, and east of U.S. Highway 283 from the Kansas-Nebraska State line to junction U.S. Highway 24, thence easterly along U.S. Highway 24 to the Kansas-Missouri State line, and (d) between points in California in and north of Santa Cruz, Santa Clara, Stanislaus, Tuolumne, and Alpine Counties, on the one hand, and, on the other, points in Colorado on, east, and north of a line beginning at the Colorado-Nebraska State line and extending along U.S. Highway 71 in a southerly direction to Limon, thence southeasterly along U.S. Highway 40 to the Colorado-Kansas State line. The purpose of the filing is to eliminate the gateway of points in Nebraska and South Dakota.

No. MC 113855 (Sub-No. E132), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe*, other than iron or steel pipe, and *pipe fittings, accessories*, and *material* used in the installation of the pipe, restricted (a) to the transportation of building materials and (b) to traffic originating at the plant sites or warehouses of Certain Teed Products Corporation located at or near Santa Clara, Riverside and Cameron Park, California, (1) from Santa Clara, Calif., to points in Nebraska (except that portion south and west of a line beginning at Nebraska-Wyoming State line, extending in a easterly direction along U.S. Highway 26 to junction U.S. Highway 30, thence along U.S. Highway 30 in an easterly direction to junction U.S. Highway 283,

thence in southerly direction to the Nebraska-Kansas State line), and points in Iowa, Minnesota and Wisconsin, (2) from Riverside, Calif., to points in Nebraska on and north of a line beginning at the Nebraska-Iowa State line extending along Nebraska Highway 92 in a westerly direction to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-South Dakota State line and points in Iowa Minnesota and Wisconsin and (3) from Cameron Park, California, to points in Nebraska (except that portion south and west of a line beginning at the Nebraska-Wyoming State line and extending in an easterly direction along U.S. Highway 26, to junction U.S. Highway 30, thence along U.S. Highway 30 in an easterly direction to junction U.S. Highway 283, thence in a southerly direction to the Nebraska-Kansas State line). The purpose of this filing is to eliminate the gateway of points in Big Horn County, Wyo.

No. MC 113855 (Sub-No. E133), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, fittings, and accessories* (except oil field pipe as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459, and commodities which because of size or weight require the use of special equipment), from Terre Haute, Ind., to points in New Mexico, Texas, Oklahoma, Kansas, and Arkansas, and points in Missouri on and west of U.S. Highway 63. The purpose of this filing is to eliminate the gateway of Springfield, Ill.

No. MC 113855 (Sub-No. E134), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 520 First National Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except farm tractors and tractors with vehicle beds, bed frames, and fifth wheels), and *tractors excavating, grading, and loading attachments*, from Wichita and Hutchinson, Kans., to points in Washington, those in Idaho and Montana on and north of U.S. Highway 12, and Portland, Oregon. The purpose of this filing is to eliminate the gateway of Fargo or Gwinner, N. Dak.

No. MC 113855 (Sub-No. E136), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 520 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New construction, road building, earth moving, excavating, loading, maintenance, logging, and mining machinery*, and *equipment, tractors* (not including truck tractors), and *Pipelayers*, and, when moving in combination loads on the same vehicle, from the same consignor or consignors of the above-specified commodities, *generators, internal combustion engines*, and *generators* and *engines combined* (except aircraft and missile engines), and *attachments, accessories, and parts* of or for the above specified equipment and machinery, the transportation of which, because of their size or weight, require the use of special equipment, and *related machinery, parts*, and *related contractors' materials, and supplies* when their transportation is incidental to the transportation by said carrier, of commodities which by reason of size or weight require special equipment, and (2) *Self-propelled articles* described in (1) above, not requiring special equipment for their transportation, each weighing 15,000 pounds or more, and *related machinery, tools, parts*, and *supplies* moving in connection therewith, from points in South Dakota on and east of a line beginning at the South Dakota-North Dakota State line extending along U.S. Highway 81 in a southerly direction to the junction of Interstate Highway 90, thence along Interstate Highway 90 to the South Dakota-Minnesota State line to points in Arizona, restricted against any service to pipelines, pipeline rights-of-way, pump stations, or pipeline construction projects along such rights-of-way. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 114211 (Sub-No. E153), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Farm machinery*, from points in that part of Iowa on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 65 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa Highway 17, thence along Iowa Highway 17 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction Iowa Highway 39, thence along Iowa Highway 39 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 29, thence along Interstate Highway 29 to junction Iowa Highway 2, thence along Iowa Highway 2 to the Iowa-Nebraska State line to points in Texas restricted against movement to oil field locations, further restricted against the transportation of commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling and further restricted against the transportation of those commodities described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459. The purpose of this filing is to eliminate the gateways of Omaha, Nebr., Beatrice, Nebr., and Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E194), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* (other than pipe used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and by-products), and *fittings and accessories therefore* when moving with such pipe from points in that part of Missouri on and north of a line beginning at the Missouri-Kansas State line, thence along U.S. Highway 50 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 68, thence along Misouri Highway 68 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction Missouri Highway 21, thence along Missouri Highway 21 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction Missouri Highway 25, thence along Missouri Highway 25 to junction Missouri Highway 77, thence along Missouri Highway 77 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Missouri-Illinois State line to points in Idaho and that part of Arizona on and west of a line beginning at the Arizona-Utah State line, thence along U.S. Highway 89 to junction Arizona Highway 71, thence along Arizona Highway 71 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 95, thence along U.S Highway 95 to the Arizona-California State line. The purpose of this filing is to eliminate the gateway of the plant site—Griffin Pipe Co.—Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E220), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors, stationary engines*, and *attachments and parts* therefore when moving incidental to and in same vehicle with tractors and stationary engines (not including tractors with vehicle beds, bed frames, or fifth wheels, nor any of the above specified commodities which, because of size or weight require the use of special equipment), from Davenport, Iowa, Rock Island and Moline, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, and to points in that part of New York on and east of a line beginning at Ogdenburg, N.Y., thence along New York Highway 68 to junction New York Highway 56, thence along New York Highway 56 to junction New York Highway 3, thence along New York Highway 3 to junction New York Highway 30, thence along New York Highway 30 to

junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 9, thence along U.S. Highway 9 to junction New York Highway 119, thence along New York Highway 119 to Long Island, N.Y., restricted to traffic originating at the plant site and warehouse facilities of Deere and Company. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa, and Horicon, Wisc.

No. MC 114211 (Sub-No. E225), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery, and contractors' equipment and supplies*, from points in that part of Kansas on and west of a line beginning at the Nebraska-Kansas State line, thence along U.S. Highway 83 to junction U.S. Highway 40, thence along U. S. Highway 40 to the Kansas-Colorado State line to points in Virginia, West Virginia, Maryland, District of Columbia, Vermont, Connecticut, Massachusetts, Delaware, Pennsylvania, New Jersey, New York, New Hampshire, Rhode Island, and Maine, restricted to the transportation of traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 114211 (Sub-No. E259), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier;* by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery, and contractors' equipment and supplies*, from that part of Minnesota on and east of a line beginning at the Minnesota-Wisconsin State line, thence along U.S. Highway 14 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Interstate Highway 94, thence along Interstate Highway 94 to the Minnesota-Wisconsin State line to points in that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 14 to junction New York Highway 13, thence along New York Highway 13 to junction New York Highway 11, thence along New York Highway 11 to junction New York Highway 57, thence along New York Highway 57 to Oswego, N.Y. The purpose of this filing is to eliminate the gateway of the plant site of Stinar Corp., at Minneapolis, Minn.

No. MC 114211 (Sub-No. E263), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment*, from points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 271 to junction Texas Highway 19, thence along Texas Highway 19 to junction Henderson County Highway 59, thence along Henderson County Highway 59 to junction U.S. Highway 287, thence along U.S. Highway 287 to Highway 287 to junction Freestone County Highway 488, thence along Freestone County Highway 488 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 159, thence along Texas Highway 159 to junction Texas Highway 36, thence along Texas Highway 36 to junction Texas Highway 60, thence along Texas Highway 60 to Matagorda, Texas, and points in that part of Oklahoma on and west of a line beginning at the Oklahoma-Arkansas State line, thence along U.S. Highway 59 to junction U.S. Highway 271 to the Oklahoma-Texas State line to points in New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and points in that part of New Jersey on and north of a line beginning at the Pennsylvania-New Jersey State line, thence along U.S. Highway 22 to junction Interstate Highway 287, thence along Interstate Highway 287 to junction New Jersey Highway 18, thence along New Jersey Highway 18 to junction U.S. Highway 9, thence along U.S. Highway 9 to junction New Jersey Highway 33, thence along New Jersey Highway 33 to Neptune, N.J., and points in that part of Pennsylvania on and north of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 62 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction Pennsylvania Highway 120, thence along Pennsylvania Highway 120 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Pennsylvania Highway 93, thence along Pennsylvania Highway 93 to junction Pennsylvania Highway 248, thence along Pennsylvania Highway 248 to junction Interstate Highway 78, thence along Interstate Highway 78 to the Pennsylvania-New Jersey State line restricted to traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateways of Pittsburg, Kansas, and Dubuque, Iowa.

No. MC 114211 (Sub-No. E273), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts* thereof (except commodities requiring special equipment, the transportation of which, because of size or weight, requires special equipment), from points in that part of Minnesota on and east of a line beginning at the Minnesota-Canada International Boundary line, thence along U.S. Highway 71 to junction Minnesota Highway 6, thence along Minnesota Highway 6 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Minnesota-Iowa State line to points in Louisiana, and to points in that part of New Mexico on and south of a line beginning at the Texas-New Mexico State line, thence along U.S. Highway 62 to junction New Mexico Highway 18, thence along New Mexico Highway 18 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction U.S. Highway 66, thence along U.S. Highway 66 to the Arizona-New Mexico State line, and to points in that part of Texas on and south of a line beginning at the Arkansas-Texas State line, thence along Interstate Highway 30 to junction U.S. Highway 259, thence along U.S. Highway 259 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction Interstate Highway 35.

Thence along Interstate Highway 35 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 180, thence along U.S. Highway 180 to the New Mexico-Texas State line, and to points in that part of Arkansas on and east of a line beginning at the Missouri-Arkansas State line, thence along U.S. Highway 63 to junction U.S. Highway 767, thence along U.S. Highway 67 to the Texas-Arkansas State line, and to points in that part of Missouri on and east of a line beginning at the Illinois-Missouri State line, thence along U.S. Highway 36, to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction U.S. Highway 63 thence along U.S. Highway 63 to junction Missouri Highway 137, thence along Missouri Highway 137 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Arkansas-Missouri State line restricted to the transportation of traffic (a) originating at the plantsites or warehouse facilities of International Harvester Company and (b) destined to the destination points specified, except that the restriction in (b) shall not apply to traffic moving in foreign commerce. The purpose of this filing is to eliminate the gateway of Rock Island (East Moline), Ill.

No. MC 114211 (Sub-No. E274), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same

as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof* (except commodities requiring special equipment, the transportation of which, because of size or weight, requires special equipment), from points in Minnesota to points in Indiana, restricted to the transportation of traffic (a) originating at the plant sites or warehouse facilities of International Harvester Company, and (b) destined to the destination points specified above (except that the restriction in (b) shall not apply to traffic moving in foreign commerce). The purpose of this filing is to eliminate the gateway of Rock Island (East Moline), Ill.

No. MC 114211 (Sub-No. E275), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in that part of Missouri on and west of a line beginning at the Iowa-Missouri State line, thence along U.S. Highway 65 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Kansas-Missouri State line and to points in Pennsylvania, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and points in that part of West Virginia on and east of a line beginning at the Pennsylvania-West Virginia State line, thence along West Virginia Highway 69 to junction U.S. Highway 250, thence along U.S. Highway 250 to the West Virginia-Virginia State line and to points in that part of Virginia on and east of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 250 to junction Virginia Highway 20, thence along Virginia Highway 20 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Virginia Highway 46, thence along Virginia Highway 46 to the North Carolina-Virginia State line, restricted to the transportation of traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateways of Des Moines and Dubuque, Iowa.

No. MC 114211 (Sub-No. E276), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment*, from points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 62 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Mexico-Texas International Boundary line to points in New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and points in that part of West Virginia on and north of a line beginning at the Ohio-West Virginia State line, thence along West Virginia Highway 7 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction West Virginia Highway 73, thence along West Virginia Highway 73 to junction West Virginia Highway 26, thence along West Virginia Highway 26 to the West Virginia-Maryland State line and points in that part of Maryland on and north of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 40 to Baltimore, Md., restricted to traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateways of Pittsburg, Kans., and Dubuque, Iowa.

No. MC 114211 (Sub-No. E280), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Farm tractors* (except those with vehicle beds, bed frames and fifth wheels), *equipment* designed for use in conjunction with farm tractors, and *parts* from points in that part of North Dakota on and east of a line beginning at the North Dakota-Canada International Boundary line, thence along North Dakota Highway 69 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction North Dakota Highway 30, thence along North Dakota Highway 30 to junction North Dakota Highway 13, thence along North Dakota Highway 13 to junction North Dakota Highway 3, thence along North Dakota Highway 3 to the North Dakota-South Dakota State line to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, District of Columbia, New York, Pennsylvania, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Ohio, Indiana, Illinois, Arkansas, Mississippi, Louisiana, and points in that part of California on and south of a line beginning at Los Angeles, Cal., thence along Interstate Highway 10 to the California-Arizona State line, and points in that part of Arizona on and south of a line beginning at the Arizona-California State line, thence along Interstate Highway 10 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arizona-New Mexico State line, and points in that part of New Mexico on and south of a line beginning at the New Mexico-Arizona State line, thence along U.S. Highway 70 to junction Interstate Highway 10, thence along Interstate Highway 10 to the New Mexico-Texas State line, and points in that part of Texas on and south of a line beginning at the Texas-New Mexico State line, thence along Interstate Highway 10 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 377, thence along U.S. Highway 377 to junction U.S. Highway 80.

Thence along U.S. Highway 80 to junction Interstate Highway 30, thence along Interstate Highway 30 to the Texas-Arkansas State line, and points in that part of Missouri on and east of a line beginning at the Missouri-Iowa State line, thence along U.S. Highway 61 to junction Missouri Highway 16, thence along Missouri Highway 16 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 11, thence along Missouri Highway 11 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Missouri-Kansas State line, and points in that part of Iowa on and east of a line beginning at the Iowa-Illinois State line, thence along U.S. Highway 67 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Iowa-Missouri State line, and points in that part of Wisconsin on and east of a line beginning at the Wisconsin-Michigan State line, thence along U.S. Highway 141 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Wisconsin Highway 69, thence along Wisconsin Highway 69 to the Wisconsin-Illinois State line, and to points in that part of Michigan on and east of a line beginning at Hancock, Mich., thence along U.S. Highway 41 to junction Michigan Highway 28, thence along Michigan Highway 28 to junction U.S. Highway 141, thence along U.S. Highway 141 to the Michigan-Wisconsin State line. The purpose of this filing is to eliminate the gateway of Fargo, N. Dak.

No. MC 114211 (Sub-No. E291), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery, and contractors' equipment and supplies*, from points in Colorado, Nebraska, South Dakota, Minnesota, and points in that part of Iowa on and west of a line beginning at the Iowa-Wisconsin State line, thence along U.S. Highway 151 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Iowa Highway 149, thence along Iowa Highway 149 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Iowa-Missouri State line, and points in that part of Kansas on and west of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 54 to junction U.S.

Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Kansas-Missouri State line to points in Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Pennsylvania, Maryland, District of Columbia, and points in that part of West Virginia on and east of a line beginning at the Ohio-West Virginia State line, thence along Interstate Highway 77 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction U.S. Highway 52, thence along U.S. Highway 52 to the West Virginia-Virginia State line, and points in that part of Virginia on and east of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 52 to the North Carolina-Virginia State line, restricted to traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 114211 (Sub-No. E292), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery*, and *contractors equipment* and *supplies* from points in South Dakota, Minnesota, and points in that part of Nebraska on and north of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 77 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Nebraska Highway 50, thence along Nebraska Highway 50 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Iowa-Nebraska State line, and points in that part of Kansas on and west of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 83 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Colorado-Kansas State line, and points in that part of Iowa on and north of a line beginning at the Iowa-Wisconsin State line, thence along U.S. Highway 151 to junction Iowa Highway 1, thence along Iowa Highway 1 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Missouri-Iowa State line, and points in that part of Colorado on and north of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 40 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction Colorado Highway 96, thence along Colorado Highway 96 to junction Colorado Highway 71, thence along Colorado Highway 71 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 350, thence along U.S. Highway 350 to junction Interstate Highway 25, thence along Interstate Highway 25 to the New Mexico-Colorado State line to points in Pennsylvania, West Virginia, Virginia Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Maryland, and the District of Columbia, restricted to traffic originating at or destined to the plantsites, warehouse sites and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 114211 (Sub-No. E296), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery*, and *contractors equipment* and *supplies* from points in that part of Minnesota on and east of a line beginning at the Minnesota-Iowa State line, thence along U.S. Highway 71 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line to points in that part of Utah on and south of a line beginning at the Utah-Idaho State line, thence along U.S. Highway 91 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Utah-Colorado State line and to points in that part of Oregon on and south of a line beginning at the Oregon-Nevada State line, thence along U.S. Highway 95, to junction Oregon Highway 78, thence along Oregon Highway 78 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction Oregon Highway 138, thence along Oregon Highway 138 to junction Oregon Highway 38, thence along Oregon Highway 38 to Reedsport, Oregon, restricted to traffic originating at the plant sites, warehouse sites, and experimental farms of Deere and Company.

No. MC 114211 (Sub-No. E297), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof, from points in that part of Minnesota on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 71 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line to points in that part of Oregon on and south of a line beginning at the Oregon-Nevada State line, thence along U.S. Highway 95 to junction Oregon Highway 78, thence along Oregon Highway 78 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction Oregon Highway 138, thence along Oregon Highway 138 to junction Oregon Highway 38, thence along Oregon Highway 38 to Reedsport, Oregon and to points in that part of Utah on and south of a line beginning at the Utah-Idaho State line, thence along U.S. Highway 91 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Utah-Colorado State line, restricted to traffic originating at the plant sites, warehouse sites and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 114211 (Sub-No. E299), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, road making machinery*, and *contractors equipment* and *supplies* from points in that part of South Dakota on and north of a line beginning at the Minnesota-South Dakota State line, thence along U.S. Highway 16 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction South Dakota Highway 79, thence along South Dakota Highway 79 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 18, thence along U.S. Highway 18 to the South Dakota-Wyoming State line to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Maryland, Delaware, West Virginia, Virginia, Ohio, Indiana, and points in that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along U.S. Highway 41 to junction Alternate U.S. Highway 41, thence along Alternate U.S. Highway 41 to the Kentucky-Tennessee State line and points in that part of Michigan on and east of a line beginning at the Wisconsin-Michigan State line, thence along U.S. Highway 41 to junction Michigan Highway 35, thence along Michigan Highway 35 to junction U.S. Highway 141, thence along U.S. Highway 141 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction Michigan Highway 77, thence along Michigan Highway 77 to junction Michigan Highway 28, thence along Michigan Highway 28 to junction Interstate Highway 75, thence along Interstate Highway 75 to Sault Ste. Marie, Mich. restricted to the transportation of traffic originating at the plant sites and warehouse facilities of Deere and Company. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn. and plant sites of Deere and Company at Horicon, Wis.

No. MC 114211 (Sub No. E300), filed June 4, 1974. Applicant: WARREN

TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Tractors* (except those with vehicle, beds, bed frames, and fifth wheels), (b) *equipment* designed for use in conjunction with tractors, (c) *agricultural, industrial*, and *construction machinery* and *equipment*, (d) *trailers*, designed for the transportation of the above-described commodities (except those trailers designed to be drawn by passenger automobiles), (e) *attachments* for the above-described commodities (f) *internal combustion engines*, and (g) *parts* of the commodities described in (a) through (f) from points on that part of Missouri on and north of a line beginning at the Missouri-Illinois State line, thence along U.S. Highway 136 to junction Missouri Highway 15, thence along Missouri Highway 15 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 11, thence along Missouri Highway 11 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Missouri-Kansas State line to points in New York, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maine, Maryland, and points in that part of Pennsylvania on and east of a line beginning at Lake Erie, thence along U.S. Highway 19 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line, restricted to commodities which are transported on trailers and restricted to traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 124423 (Sub No. E2), filed November 13, 1974. Applicant: JET MESSENGER SERVICE, INC., P.O. Box 99, Metuchen, N.J. 08840. Applicant's representative: W. C. Mitchell, 370 Lexington Avenue, New York, N.Y. 10017. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General* commodities (except furniture, garments, and garment materials, cash letters and checks, articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), moving in express service, subject to the restriction that no service shall be provided on the transportation of articles weighing in the aggregate more than 3,000 pounds from one consignor at one location to one consignee at one location on any one day. (1) between points in Camden County, N.J., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, and Union Counties, N.J. (Philadelphia, Pa.)*, (2) between points in Mercer County, N.J., on the one hand, and, on the other, Elizabeth and Newark, N.J., and points in Bergen and Hudson Counties, N.J. (New York, N.Y.)*, (3) between points in Warren County, N.Y., on the one hand, and, on the other, points in Bergen County, N.J. (east of Garden States Parkway), Hudson County, N.J., Middlesex County, N.J. (east of N.J. Highway 18 from Somerset-Middlesex Counties line to junction with U.S. Highway 9 and east of U.S. Highway 9 from junction with N.J. Highway 18 to Middlesex-Monmouth Counties, line), and Union County, N.J. (east of Garden States Parkway) (New York, N.Y.)*, (4) between points in Carbon County, Pa., on the one hand, and, on the other, points in Monmouth County, N.J. (South Amboy, N.J.)*, (5) between points in Carbon County, Pa., on the one hand, and, on the other, points in Morris County, N.J. (eliminate Somerville, Gladstone, and Somerset Counties.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-1062 Filed 1-10-75;8:45 am]

[Ex Parte No. 299 (Sub-No. 1)]

LONG ISLAND RAIL ROAD CO.

Increases in Freight Rates and Charges To Offset Retirement Tax Increase—1973

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 7th day of January, 1975.

It appearing, That pursuant to section 15a(4)(b) of the Interstate Commerce Act, the Commission has approved the petitioner Long Island Rail Road Company's terminal surcharge of 12.5 percent on the total freight charges for traffic originating or terminating on its lines, in order that it may offset increased expenses experienced as a result of the Railroad Retirement Amendments of of 1973, Pub. L. 93-69, 87 Stat. 162;

It further appearing, That the evidence submitted in this proceeding for the third and fourth calendar quarters of 1973 and the four calendar quarters of 1974 consists of projected data only;

And it further appearing, That the data pertaining to the actual increased expenses and increased freight revenues is now available to the railroad petitioner;

Wherefore, and for good cause:

We find, That the Long Island Rail Road Company should be required to submit the data specified in the following paragraphs.

It is ordered, That the Long Island Rail Road Company is directed to file with this Commission the following data and information by February 10, 1975, which shall disclose:[1]

(a) The amount of increases in expenses resulting from any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on or before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973, by showing for the fourth quarter of 1973 and for each quarter of 1974—

(1) The mid-month number of employees,

(2) The total service hours by operating and other employees, as reported in ICC wage statistics, Forms A and B,

(3) The total compensation paid for operating and other employees, as reported in ICC wage statistics, Forms A and B,

(4) The total compensation subject to retirement taxes,

(5) The retirement taxes paid,

(6) The retirement tax rate,

(7) The retimement taxes reimbursed by AMTRAK and other public authorities,

(8) The total dollar amount of tax increases resulting from the increased tax rates.

(b) The dollar amount obtained from the increased freight rates showing for the fourth quarter of 1973 and for each quarter of 1974—

(1) The freight revenue ton miles,

(2) The freight revenues,

(3) The freight revenues obtained from the interim terminal surcharge granted in this proceeding.

(c) The availability of means other than a terminal surcharge by which the petitioner might absorb or offset such increases in expenses, identifying the means considered.

(d) The method of making refunds as well as evidence that any repayment shall be prompt and complete.

And it is further ordered, That notice of the entry of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission and by filing a copy with the Office of the Federal Register for publication therein.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. Nor will the proposed action, limited as it is to the application of the Railroad Retirement Amendments of 1973, Pub. L. 93-69, 87 Stat. 162, serve as a precedent for Commission action not directly related to the Railroad Retirement Amendments of 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-1061 Filed 1-10-75;8:45 am]

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[1] The methods used to derive the estimates must be reflected, including assumptions used; and all underlying work papers must be made available to the Commission upon request.

[Notice 2]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

The following are notices of filing of application; except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 201a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 303TA), filed December 30, 1974. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: J. D. Autrey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flavoring compounds*, in bulk, in tank vehicles, from Bardstown, Ky., to El Segundo, Calif., for 180 days. Supporting shipper: Barton Brands, Ltd., Barton Road, Bardstown, Ky. 40004. Send protests to: District Supervisor John Mensing, Interstate Commerce Commission, Bureau of Operations, 515 Rusk, Room 8610, Federal Building, Houston, Tex. 77002.

No. MC 31809 (Sub-No. 9TA) (Correction), filed September 27, 1974, published in the FEDERAL REGISTER issue of October 11, 1974, and republished as corrected this issue. Applicant: CLAY'S TRANSFER CO., INC., P.O. Box 1131, Rocky Mount, N.C. 27801. Applicant's representative: Wiley W. Clay (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Landscape, timbers and fencing*, (a) from Weyco, Craven County, N.C., and Plymouth, N.C., to Salisbury, Md., for stopping-in-transit for rot preventive treatment, thence to points in North Carolina, Virginia, Tennessee, Kentucky, Illinois, Indiana, Michigan, Ohio, West Virginia, Pennsylvania, Delaware, New Jersey, New York, Rhode Island, Connecticut, Massachusetts, Vermont, New Hampshire, Maine, Maryland, and the District of Columbia and (b) from Weyco, Craven County, N.C. and Plymouth, N.C., to Pageland, S.C. for stopping-in-transit for rot preventive treatment, thence to points in the United States in and east of Michigan, Illinois, Kentucky, Tennessee, Mississippi, and Louisiana, for 180 days. Supporting shipper: Weyerhaeuser Company, P.O. Box 787, Plymouth, N.C. 27893. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

NOTE.—The purpose of this republication is to show that Weyco, Craven County, N.C., was inadvertently shown as Waco, N.C., in parts (A) and (B) of the territorial description.

No. MC 47583 (Sub-No. 18TA), filed December 31, 1974. Applicant: TOLLIE FREIGHTWAYS, INC., 41 Lyons Avenue, Kansas City, Kans. 66118. Applicant's representative: D. S. Hults, P.O. Box 225, Lawrence, Kans. 66044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cellulose insulation, blowing machines, replacement parts, and supplies*, from Wellsville, Kans., to points in Iowa, Kansas, Missouri, Nebraska, Illinois, Colorado, Oklahoma, Arkansas, and Texas, for 180 days. Supporting shipper: Diversified Insulation, Inc., Box 91, 2705 W. Highway 53, Hamel, Minn. 55340. Send protests to: Vernon V. Coble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 71902 (Sub-No. 82TA), filed December 30, 1974. Applicant: UNITED TRANSPORTS, INC., 4900 N. Santa Fe St., Oklahoma City, Okla. 73118. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New motor vehicles, vehicle cabs and bodies, and automobile snow equipment and paraphernalia*, when transported in display vehicles, in initial movements, in truckaway service, from the plantsite of General Motors Corporation (GM Assembly Division) at Arlington, Tex., to points in Illinois, Iowa, Minnesota, South Dakota, North Dakota, and Wisconsin, for 180 days. Supporting shipper: General Motors Corporation, Earl R. Wiseman, Dir. Planning & Rates, GM Logistics Operations, 30007 Van Dyke Avenue, Warren, Mich. 48090. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 100109 (Sub-No. 6TA), filed December 27, 1974. Applicant: HERMAN STUMPF, JAMES STUMPF, AND ROBERT STUMPF, doing business as H. STUMPF & SONS, R.R. No. 3, Worthington, Minn. 56187. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed and feed ingredients*, between Worthington, Minn., on the one hand, and, on the other, points in South Dakota and points in Iowa on and west of U.S. Highway 65 and on and north of U.S. Highway 30; and (2) *Animal health products*, from Worthington, Minn., to points in South Dakota and points in Iowa on and west of U.S. Highway 65 and on and north of U.S. Highway 30, for 180 days. Supporting shippers: Allied Mills, P.O. Box 522, Worthington, Minn. 56187 and Cargill, Inc., Oxford Street, Worthington, Minn. 56187. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 414 Federal Building & U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 103051 (Sub-No. 334TA), filed December 27, 1974. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, Nashville, Tenn. 37209. Applicant's representative: William G. North (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint*, in bulk, in tank vehicles, from Tucker, Ga., to Cleveland, Tenn., for 180 days. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., Market Street, Wilmington, Del. 19898. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, A-422 U.S. Court House, Nashville, Tenn. 37203.

No. MC 107403 (Sub-No. 928TA), filed December 30, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19106. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coloring syrup*, in bulk, in tank vehicles, from Louisville, Ky., to Cedar Rapids, Iowa, for 180 days. Supporting shipper: G. Richard Jones, Regional Sales Manager, D. D. Williamson & Co., Inc., 1901 Payne Street, P.O. Box 6001, Louisville, Ky. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 107496 (Sub-No. 980TA), filed December 31, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed and feed supplement*, in bulk, from the plantsite of Land O'Lakes, Inc., at or near Clarence, Iowa, to points in Illinois, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Iowa, for 180 days. Supporting shipper: Land O'Lakes, Inc., 2827 8th Avenue South,

Fort Dodge, Iowa 50501. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 107496 (Sub-No. 981TA), filed December 31, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *MAF-1 fuels*, in bulk, in tank vehicles, from the Naval Ammunition Depot, Hawthorne, Nev.; the Letterkenny Army Depot, Chambersburg, Penn.; and the Anniston Army Depot, Bynum, Ala., to the Eagle River Chemical Co., plantsite at West Helena, Ark.; and (2) UDMH (unsymmetrical dimethylhydrazine), in bulk, in tank vehicles, from the Eagle River Chemical plantsite at West Helena, Ark., to Rocky Mt. Arsenal at Ladora, Colo., for 180 days. Supporting shipper: Regulatory Law Office, Office of the Judge Advocate General, Department of the Army, Department of Defense, Washington, D.C. 20310. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 111729 (Sub-No. 490TA), filed December 30, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clinical laboratory specimens*, from points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Rhode Island to West Nyack, N.Y., for 90 days. Supporting shipper: Schwarz/Mann, Division of Becton Dickinson, Mountainview Avenue, Orangeburg, N.Y. 10962. Send protests to: Anthony D. Giaimo, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 113325 (Sub-No. 139TA), December 27, 1974. Applicant: SLAY TRANSPORTATION CO., INC., 2001 S. 7th Street, St. Louis, Mo. 63104. Applicant's representative: T. M. Tahan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank and hopper vehicles, from the plantsites of Monsanto Company at Kearny and Bridgeport, N.J., and Everett and Springfield, Mass., to Kansas City, Kans., and points in Missouri and Illinois, for 180 days. Supporting shipper: Monsanto, 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th Street, St. Louis, Mo. 63101.

No. MC 113475 (Sub-No. 23TA) (Correction), filed October 11, 1974, and published in the FEDERAL REGISTER issue of October 31, 1974, and republished as corrected this issue. Applicant: RAWLINGS TRUCK LINE, INC., P.O. Box 831, Emporia, Va. 23847. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Pennsylvania Ave. & 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Landscape timbers and fencing*, (A) from Weyco, Craven County, N.C., and Plymouth, N.C., to Salisbury, Md., for stopping-in transit for rot preventive treatment, thence to points in North Carolina, Virginia, Tennessee, Kentucky, Illinois, Indiana, Michigan, Ohio, West Virginia, Pennsylvania, Delaware, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, Maryland, and the District of Columbia, and (B) from Weyco, Craven County, N.C., and Plymouth, N.C., to Pageland, S.C., for stopping-in transit for rot preventive treatment, thence to points in the United States in and east of Michigan, Illinois, Kentucky, Tennessee, Mississippi, and Louisiana, for 180 days. Supporting shipper: Joseph Genodes, Jr., Region Transportation Manager, P.O. Box 787, Plymouth, N.C. 27893. Send protests to: District Supervisor C. M. Harmon, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Bldg., 400 N. 8th Street, Richmond, Va. 23240.

NOTE.—The purpose of this republication is to show Weyco, Craven County, N.C., inadvertently shown as Waco, N.C., in parts A and B of the territorial description.

No. MC 114896 (Sub-No. 24TA), filed December 27, 1974. Applicant: PUROLATOR SECURITY INC., 1341 W. Mockingbird Lane, Suite 1001E, Dallas, Tex. 75247. Applicant's representative: William E. Pullingim (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline coupons*, between points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: General Services Administration, Transportation Management Specialist, Crystal Mall, Building No. 4, Washington, D.C. 20406. Send protests to: District Supervisor Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 115523 (Sub 172TA), filed December 31, 1974. Applicant: CLARK TANK LINES COMPANY, 1450 Beck Street, P.O. Box 1895, 84110, Salt Lake City, Utah 84116. Applicant's representative: F. Robert Reeder, 79 South State Street, P.O. Box 11898, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude oil*, from points in Uintah and Duchesne Counties, Utah, to points in Cheyenne County, Nebr., for 180 days. Supporting shipper: Husky Oil Co., 4040 East Louisiana Avenue, Denver, Colo. (Harvey Webb, Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 125 South State Street, 5301 Federal Building, Salt Lake City, Utah 84138.

No. MC 115841 (Sub-No. 493TA), filed December 30, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 107 Vulcan Road, Vulcan Life Bldg., Suite 200, Homewood, Ala. 35209, P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, except commodities in bulk, from Adairville, Ky., to points in Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Washington, West Virginia, Wisconsin, Virginia, and the District of Columbia, for 180 days. Supporting shipper: Odom's Sausage Company, 910 Neeley's Bend Road, Madison, Tenn. 37115. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1616—2121 Building, Birmingham, Ala. 35203.

No. MC 117068 (Sub-No. 37TA), filed December 30, 1974. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., No. Highway 63, P.O. Box 6418, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 711 Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aerial lift buckets* (except those which, because of size or weight, require the use of special equipment), from Emmetsburg, Iowa, to Columbus, Ohio, Morristown, Pa., and Dallas, Tex.; and (2) *Tubing*, from Shelby, Ohio and Chicago, Ill., to Emmetsburg, Iowa, for 180 days. Supporting shipper: Durnell Engineering, Inc., Broadway South, Emmetsburg, Iowa 50536. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 414 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 118882 (Sub-No. 4TA), filed December 20, 1974. Applicant: JOE L. LAMBERT, doing business as LAMBERT TRUCKING SERVICE, 715 Fox Avenue, Harrisville, W. Va. 26362. Applicant's representative: John M. Friedman, P.O. Box 426, 2930 Putnam Avenue, Hurricane, W. Va. 25526. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Salt*, in bulk, in dump vehicles requiring special equipment for unloading

and having prior movement by barge and (2) *Coal*, in bulk, in dump vehicles; and (B) (1) Commodities named in (A) (1) above, from Willow Island and Belmont, W. Va., to State Highway Storage Areas located at or near Marietta, Bartlett, Belpre, Macksburg, and Beverly, Ohio, and (2) Commodities named in (A) (2) above, from mine sites located in Harrison, Lewis, Upshur, and Barbour Counties, W. Va. via crusher units located at or near Willow Island and Parkersburg, W. Va., to points in Washington County, Ohio, for 180 days. Supporting shippers: Buckhannon Sales Co., Inc., P.O. Box 788, Buckhannon, W. Va. 26201, Att.: Victor R. Starkey, Vice Pres. and Domtar Chemical—Sifto Salt Div., Suite 406—9950 West Lawrence Avenue, Schiller Park, Ill. 60176, Att.: H. J. Miller, Distribution Manager. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3108 Federal Office Building, 500 Quarrier Street, Charleston, W. Va. 25301.

NOTE.—Applicant states it will not tack and/or interline with any other carriers.

No. MC 120736 (Sub-No. 5TA), filed December 26, 1974. Applicant: STROTHMAN EXPRESS, INC., 2735 Spring Grove Avenue, Cincinnati, Ohio 45225. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* dealt in by wholesale and retail grocery stores, from the warehouse site of Fostoria Distribution Services Co., at Fostoria, Ohio, to points in Ohio, for 180 days. Supporting shipper: Fostoria Distribution Services Co., P.O. Box D, Fostoria, Ohio 44830. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5514-B Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 124821 (Sub-No. 15TA), filed December 30, 1974. Applicant: WILLIAM GILCHRIST, 196 North Keyser Avenue, Old Forge, Pa. 18518. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass lens blanks*, from Duryea, Pa., to Columbus and Worthington, Ohio; Roanoke, Ind.; Plattville, Wis.; and Sauk Rapids and St. Cloud, Minn., for 150 days. Supporting shipper: Schott Optical Glass, Inc., York Avenue, Duryea, Pa. 18642. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 314 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 127525 (Sub-No. 4TA), filed December 27, 1974. Applicant: COMET GARMENT CARRIERS, INC., 257 West 38th Street, New York, N.Y. 10018. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Materials and supplies* used in the manufacture of ladies' coats and suits, and clothing hangers, from Suz-Ette Fashions, Inc., Jersey City, N.J., to G C Fashions, Inc., Glen Cove, N.Y.; (2) *Cutwork, materials, and supplies* used in the manufacture of ladies' coats and suits, clothing hangers, and ladies' coats and suits, between G C Fashions, Inc., Glen Cove, and L & S Fashions, Inc., Amityville, N.Y.; and (3) *Ladies' coats and suits*, on hangers, from G C Fashions, Inc., Glen Cove, N.Y., to Suz-Ette Fashions, Inc., Jersey City, N.J., for 180 days. Supporting shipper: Suz-Ette Fashions, Inc., 14 Burma Road, Jersey City, N.J. 07305. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 133485 (Sub-No. 14TA), filed December 30, 1974. Applicant: INTERNATIONAL DETECTIVE SERVICE, INC., 1828 Westminster Street, Providence, R.I. 02909. Applicant's representative: Morris J. Levin, 1620 Eye Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline coupons*, via armored motor vehicles, escorted by armed guards, between points in New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, and Vermont, for 180 days. Supporting shipper: General Services Administration, Crystal Mall, Building No. 4, Washington, D.C. 20406. Send protests to: Gerald H. Curry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 187 Westminister Street, Providence, R.I. 02903.

No. MC 133591 (Sub-No. 14TA), filed December 18, 1974. Applicant: WAYNE DANIEL TRUCK, INC., P.O. Box 303, Mount Vernon, Mo. 65712. Applicant's representative: Frederick J. Coffman, 521 South 14th Street (P.O. Box 81849), Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and pet food* (except in bulk), from Rolla, Mo., to points in Oregon, Texas and Washington, for 180 days. Supporting shipper: Bow-Wow Company, Inc., P.O. Box 938, Rolla, Mo. 65401. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 133867 (Sub-No. 9TA), filed December 30, 1974. Applicant: STARLING TRANSPORT LINES, INC., State Farmers Market, 3724 U.S. Highway No. 1, Fort Pierce, Fla. 33450. Applicant's representative: Bernard C. Pestcoe, 511 Biscayne Building, 19 West Flagler Street, Miami, Fla. 33130. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, from Clifton, N.J., to points in California, Oregon, Washington, Nevada, Utah, Idaho, Oklahoma, Arizona, New Mexico, and Virginia, for 180 days.

NOTE.—Applicant proposes to tack with existing authority in its lead docket No. MC 133867 and the authority in docket No. MC 133867 Sub 7TA. Supporting shipper: Globe Preserves, Inc., P.O. Box 616, Clifton, N.J. 07015. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Palm Coast II Building, Suite 208, 5255 N.W. 87th Avenue, Miami, Fla. 33178.

No. MC 135007 (Sub-No. 48TA), filed December 27, 1974. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14 Street (P.O. Box 81849), Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpet lining and padding*, from Norfolk, Va., to points in Colorado, Iowa, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, and Texas, under continuing contract with William Volker & Co., for 180 days. Supporting shipper: William Volker & Co., W. P. Tarter, Vice Pres.-Transportation, 945 California Drive, Burlingame, Calif. 94010. Send protests to: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza, 110 North 14 Street, Omaha, Nebr. 68102.

No. MC 136911 (Sub-No. 3TA), filed December 30, 1974. Applicant: PACKAGE EXPRESS, INC., 22 Tyler Street, Springfield, Mass. 01109. Applicant's representative: David M. Marshall, Marshall and Marshall, 135 State Street, Springfield, Mass. 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by retail, wholesale, and chain department stores in connection therewith, equipment, materials, and supplies used in the conduct of such business, between the stores, warehouses, or facilities of Forbes & Wallace, Inc., of Springfield, Mass., located in Hampden County, Mass., on the one hand, and, on the other, points in Fairfield, Middlesex, New Haven, and New London Counties, Conn., for 180 days. Supporting shipper: Forbes & Wallace, Inc., 1414 Maine Street, Springfield, Mass. 01103. Send protests to: Joseph W. Balin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 338 Federal Bldg. & U.S. Courthouse, 436 Dwight Street, Springfield, Mass. 01103.

No. MC 138469 (Sub-No. 10TA), filed December 27, 1974. Applicant: DONCO CARRIERS, INC., 1001 S. Rockwell, P.O. Box 75354, Oklahoma City, Okla. 73107. Applicant's representative: Wm. L. Peterson, Jr., P.O. Box 917, Oklahoma City, Okla. 73101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household and industrial cleaning products, brooms, brushes, mops and promotional materials and supplies, materials, and machinery used in the manufacture thereof*, between the plant sites of Fuller Brush Companies at Great Bend, Kans., and Pennsauken, N.J., Farmingdale, LI and New York City,

N.Y., Lansing, Illinois, Atlanta, Ga., Los Angeles and Oakland, Calif., Seattle, Wash., Dallas, Tex., and Toledo, Ohio, for 180 days. Supporting shipper: The Fuller Brush Company, Bruce Brown, Mgr., Traffic & Transportation, 7400 N. Caldwell Ave., Niles, Ill. 60648. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240, Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 140479 (Sub-No. 1TA), filed December 30, 1974. Applicant: JERRY L. FERRIL, doing business as LUMBER EXPRESS, Route 3, Box 422, Excelsior Springs, Mo. 64024. Applicant's representative: Donald J. Quinn, Suite 900, 1012 Baltimore, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, between the site of Wickes Lumber at or near Excelsior Springs, Mo., on the one hand, and, on the other, points in Kansas on and east of U.S. Highway I-80 and Ankeny, Iowa, and Omaha, Nebr., for 90 days. Supporting shipper: Donald J. Bassett, Assistant Manager, Wickes Lumber, Rural Route No. 1, Excelsior Springs, Mo. 64024. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 140502, filed December 27, 1974. Applicant: BOB PERRETT ENTERPRISES, LTD., 1016 1st Avenue South, Lethbridge, Alberta, Canada T1J 0B1. Applicant's representative: A. R. Krushel, 612 3rd Avenue South, Lethbridge, Alberta, Canada T1J 4A2. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean meal*, from Dawson and Mankato, Minn., to the ports of entry on the International Boundary line between the United States and Canada, located at points in North Dakota and Montana, for 180 days. Supporting shipper(s): Canada Packers, Ltd., P.O. Box 366, Lethbridge, Alberta, Canada, United Feeds Limited, P.O. Box 1046, Lethbridge, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 140508TA, filed December 26, 1974. Applicant: R. E. CAMPBELL, doing business as R. E. CAMPBELL TRUCKING CO., Rt. 1, Box 143, Ravensdale, Wash. 98051. Applicant's representative: Carl A. Jonson, 300 Central Bldg., Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machinery* by closed van, between Matteson, Ill., and Seattle, Wash. for 180 days. Supporting shipper: Allis-Chalmers Material Handling, Sales and Service, 4429 Airport Way So., Seattle, Wash. 98108. Send protests to: Transportation Specialist L. D. Boone, Bureau of Operations, Interstate Commerce Commission, Room 858, Federal Office Building, 915 2nd Avenue, Seattle, Wash. 98174.

No. MC 140509TA, filed December 30, 1974. Applicant: ART KOHLER TRUCKING, INC., Box 68, Audubon, Minn. 56511. Applicant's representative: Charles E. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Processed, frozen and dehydrated potato products*, from the plantsites and storage facilities of J. R. Simplot Company located in Minnesota, to points in the United States lying in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, restricted to transportation services to be performed under a continuing contract or contracts with J. R. Simplot Company, Crookston, Minn., for 180 days. Supporting shipper: J. R. Simplot Company, Box 618, Crookston, Minn. 56716. Send protests to: Joseph H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 140510TA, filed December 30, 1974. Applicant: GLOBE MOVING & STORAGE INC., 1007 Cedar, Flint, Mich. 48504. Applicant's representative: James F. Schouman, 21925 Garrison, Dearborn, Mich. 48124. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* between warehouse at Flint, Mich., and points in Genesee, Huron, Lapeer, Saginaw, St. Clair, Sanilac, Shiawassee, and Tuscola Counties, and Selfridge Air Force Base, Mount Clemens, Mich., for 180 days. Supporting shipper: Department of Defense, Regulatory Law Office, Office of the Judge Advocate General, Dellon E. Coker, Chief, Department of the Army, Washington, D.C. 20310. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

NOTE.—Applicant states it will interline at Selfridge Air Force Base.

No. MC 140515 TA, filed December 30, 1974. Applicant: AMERI-TEX, INC., 2103 Columbia, Plainview, Tex. 79072. Applicant's representative: Elliott Bunce, 618 Perpetual Building, N.C., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides and hide products*, from the plant and storage facilities of MBPXL Corporation at or near Friona, Tex., to Wilmington, Calif., for 180 days. Supporting shipper: MBPXL Corporation, Tommy Cope, Traffic Manager, P.O. Box 1178, Friona, Tex. 79035. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395, Herring Plaza, Amarillo, Tex. 79101.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-1057 Filed 1-10-75;8:45 am]

[Notice 213]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 13, 1975.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-75613. By application filed December 27, 1974, MORGAN TRUCKING CO., P.O. Box 714, Muscatine, IA 52761, seeks temporary authority to lease the operating rights of DONALD L. MORGAN, doing business as MORGAN TRUCKING CO., P.O. Box 714, Muscatine, IA 52761, under section 210a(b). The transfer to MORGAN TRUCKING CO., of the operating rights of DONALD L. MORGAN, doing business as MORGAN TRUCKING CO., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-1058 Filed 1-10-75;8:45 am]

federal register

MONDAY, JANUARY 13, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 8

PART II

INTERSTATE COMMERCE COMMISSION

■

UNIFORM SYSTEM OF ACCOUNTS FOR MARITIME CARRIERS

Conformity With Generally Accepted Accounting Principles

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER C—ACCOUNTS, RECORDS AND REPORTS

[No. 32451 (Sub-No. 1)]

PART 1208—MARITIME CARRIERS

Uniform System of Accounts for Maritime Carriers

On September 25, 1974, the Commission served a Notice of Proposed Rulemaking under the subject docket. The purpose of the Notice is to adopt a new uniform system of accounts for maritime carriers jointly developed by the Maritime Administration (MARAD), Department of Commerce, and the Federal Maritime Commission (FMC) and published by the MARAD in General Order 22, revised (39 FR 16445), on May 9, 1974.

It has been a long-standing arrangement among the MARAD, FMC, and this Commission to prescribe compatible annual report forms for maritime carriers based on the same uniform system of accounts (FMC does not itself prescribe a uniform system of accounts but endorses the system prescribed by MARAD). The adoption of MARAD's new system by the Commission will enable carriers to use one system in meeting the requirements by all these agencies.

The new system is better than the current system in many aspects. It provides new accounts for barges, containers and related equipment which represent advances in maritime technology not reflected in the current system. The new system also utilizes the cost center approach, and provides a set of uniform methods to classify, accumulate and distribute costs to cost centers. These new mechanisms will insure more adequacy and uniformity in accounting information generated from maritime carriers, thus reducing areas of deficiency experienced with the current system. The new system will be a more effective tool to meet the data needs for military and civilian cargo rate analysis, granting subsidies and other regulatory functions of three agencies involved.

In adopting the MARAD's system, we have incorporated revisions relating to financial accounting regulations. Some of the revisions have been adopted for other systems under the Commission's jurisdiction while others are under the proposed rulemaking stage. These revisions will bring our rules in conformity with generally accepted accounting principles and provide more definitive guidelines in certain areas.

The following changes to the Notice of Proposed Rulemaking are made:

1. As a result of comments from FMC, write downs for decline in value of investments will be charged to account 690, "Miscellaneous Other Income," or other appropriate accounts rather than account 990, "Miscellaneous Expense." This minor change will avoid any incompatibility with FMC's existing ADP programs for rate analysis.

2. Account 996 is added to record the cumulative effect of changes in accounting principles. Correspondingly, Instruction (K)(5), Accounting Changes, is also provided to require that a change in accounting principle or accounting entity be referred to this Commission for approval. This is to insure a consistent application of accounting principles and a proper presentation of the effect of accounting changes.

ORDER

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 17th day of December, 1974.

Consideration having been given to the matters and things involved in this proceeding, and the said Commission, on the date hereof, having made and filed a report herein containing its findings and conclusions, which report is hereby made a part hereof:

It is ordered, That, effective January 1, 1975, the accounting regulations prescribed in Part 1208 of Chapter X, Subchapter C of Title 49 of the Code of Federal Regulations be, and they are hereby, revised to read as shown in the appendix to the above-mentioned report.

It is further ordered, That, the annual reports filed by maritime carriers to this Commission for the year ending December 31, 1974, be prepared by converting existing accounts to account numbers as shown in the appendix to the above-mentioned report.

And it is further ordered, That, service of this order shall be made on all affected carriers; and to the Governor of every State and to the Public Utilities Commissions or Boards of each State having jurisdiction over transportation; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

(49 U.S.C. 913)

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

PART 1208—MARITIME CARRIERS

CROSS REFERENCE: For uniform system of accounts for operating-differential subsidy contractors, issued by Federal Maritime Board, Maritime Administration, Department of Commerce, see Title 46, Part 282.

01 Abstract from law: Interstate Commerce Act.

General Instructions

(A) Definitions.
(B) Records.
(C) Accrued items.
(D) Submission of questions.
(E) Voyage accounts.
(F) Balance sheet accounts.
(G) Conversion of securities.
(H) Contingent assets and liabilities.
(I) Revenue accounts.
(J) Expense accounts.
(K) Extraordinary items, unusual or infrequent items, discontinued operations, prior period adjustments, and accounting changes.
(L) Accounting for income taxes.
(M) Recorded value of securities owned.
(N) Transactions with affiliated companies.
(O) Charges to be just and reasonable.

Balance Sheet Accounts

(A) ASSET ACCOUNTS

ACCOUNT

100 Cash.
101 Cash on deposit—domestic.
106 Cash on deposit—foreign.
111 Imprest and petty cash funds.
114 Cash on hand and in transit.
115 Special cash deposits.
120 Marketable securities.
129 Discounts and premiums on marketable securities.
130 Notes receivable.
140 Notes receivable—affiliates.
150 Accounts receivable.
151 Traffic accounts receivable—U.S. Government.
152 Traffic accounts receivable—other.
153 Accounts receivable—affiliates.
155 Claims receivable.
160 Accounts receivable—Maritime Administration — operating — differential subsidy.
161 Accounts receivable—Maritime Administration—construction — differential subsidy.
162 Accounts receivable—Martime Administration—other.
165 Accounts receivable—miscellaneous.
168 Accrued accounts receivable.
169 Estimated allowances for doubtful notes and accounts receivable.
170 Inventories—shoreside.
171 Vessels stores, supplies, and equipment ashore.
172 Other shipping inventories.
173 Non-shipping inventories for sale.
174 Non-shipping inventories for consumption.
175 Miscellaneous inventories.
190 Other current assets.
191 Prepaid current insurance.
192 Advances to officers and employees for expenses.
193 Other prepaid current expenses.
198 Deferred income tax charges.
199 All other current assets.
200 Deferred expenses—unterminated voyages.
300 Special funds and deposits.
301 Capital reserve fund.
302 Capital construction fund.
303 Construction reserve fund.
304 Interest accruals for deposit in statutory funds.
305 Insurance funds.
306 Debt retirement funds.
307 Escrow funds.
308 Construction funds.
309 Other special funds.
310 Restricted funds.
312 Special and guaranty deposits.
315 Investments.
316 Securities of related companies.
319 Non-current notes receivable—affiliated companies.
320 Non-current accounts receivable—affiliated companies.
325 Cash value of life insurance policies.
328 Other investments.
329 Decline in value of investments.
330 Property and equipment.
331 Floating equipment—vessels.
332 Accumulated depreciation—vessels.
335 Floating equipment—barges.
336 Accumulated depreciation—barges.
337 Other floating equipment.
338 Accumulated depreciation — other floating equipment.
341 Containers.

Sec.
342 Accumulated depreciation — containers.
343 Refrigerated containers.
344 Accumulated depreciation — refrigerated containers.
345 Container related equipment.
346 Accumulated depreciation—container related equipment.
347 Chassis and trailer equipment.
348 Accumulated depreciation—chassis and trailer equipment.
349 Terminal property and equipment.
350 Accumulated depreciation — terminal property and equipment.
351 Other shipping property and equipment.
352 Accumulated depreciation — other shipping property and equipment.
353 Non-shipping property and equipment.
354 Accumulated depreciation—non-shipping property and equipment.
355 Office leaseholds and leasehold improvements.
356 Accumulated amortization—office leaseholds and leasehold improvements.
357 Terminal leaseholds and leasehold improvements.
358 Accumulated amortization — terminal leaseholds and leasehold improvements.
359 Construction work in progress.
360 Other assets.
361 Claims pending.
362 Spare parts on which construction—differential subsidy has been paid.
363 Spare parts—other.
364 Notes and accounts receivable from officers and employees.
367 Deferred operating-differential subsidy receivable.
368 Other non-current notes and accounts receivable.
370 Maritime Administration allowance for obsolete vessels.
374 Miscellaneous other assets.
375 Deferred charges and prepaid expenses.
376 Prepaid long-term insurance.
383 Accumulated deferred income tax charges.
384 Debt discount and expense.
385 Organization expenses.
389 Deferred prepayments and other deferred charges.
390 Goodwill and other intangible assets.
391 Goodwill.
398 Other intangible assets.
399 Accumulated amortization—other intangible assets.

(B) Liability Accounts

ACCOUNT

400 Notes payable.
401 Bank loans.
410 Insurance notes.
414 Other short-term notes.
415 Notes and accounts payable—affiliates.
420 Accounts payable.
421 Accounts payable—trade.
422 Accounts payable—traffic.
428 Accounts payable—officers and employees.
430 Accounts payable—Maritime Administration.
431 Pension and welfare funds payable.
438 Dividends payable.
439 Accounts payable—miscellaneous.
440 Accrued liabilities.
441 Accrued voyage payrolls.
442 Accrued payrolls—other.
443 Accrued liability for Federal income taxes.
444 Accrued liability for State and local taxes based upon income.
445 Accrued liability for foreign taxes.
446 Accrued liability for payroll taxes.
447 Accrued liability for other taxes.
459 Other accrued accounts payable.
479 Other current liabilities.
480 Deferred income tax credits.
495 Advance ticket sales and deposits.
500 Deferred revenues—unterminated voyages.
525 Long-term debt.
526 Mortgage notes—Maritime Administration.
527 U.S. Government insured or guaranteed merchant marine bonds and notes.
530 Other bonds and debentures.
534 Other long-term debt.
540 Other long-term liabilities.
541 Noncurrent notes and accounts payable—affiliates.
549 Noncurrent notes and accounts payable—officers and employees.
550 Recapturable profits—Maritime Administration.
554 Miscellaneous other long-term liabilities.
555 Deferred credits.
556 Premium on funded debt.
563 Accumulated deferred income tax credits.
564 Miscellaneous deferred credits.
565 Estimated operating allowances.
566 Estimated allowances for repairs.
570 Estimated allowances for insurance.
579 Estimated operating allowances—miscellaneous.
580 Owner's equity.
581 Capital stock issued and outstanding.
585 Capital stock subscribed.
587 Discount on capital stock.
590 Additional paid-in capital.
591 Treasury stock.
593 Prior period adjustments to beginning retained earnings account.
598 Retained earnings—restricted.
599 Retained earnings—unrestricted.

Revenue Accounts

(A) Ordinary Items

ACCOUNT

600 Vessel revenue.
601 Freight—foreign.
603 Freight—coastwise and intercoastal.
608 Passenger—foreign.
612 Passenger—coastwise and intercoastal.
620 Charter revenue.
624 Other voyage revenue.

(B) Subsidies

ACCOUNT

625 Operating-differential subsidy.

(C) Other Shipping Revenue

ACCOUNT

640 Collections from pools.
645 Revenue from terminal operations.
650 Revenue from cargo handling operations.
655 Revenue from tug and lighter operations.
660 Revenue from container related operations.
665 Revenue from other shipping operations.
670 Agency fees, commissions, and brokerage earned.

(D) Other Revenue Accounts

ACCOUNT

675 Interest income.
685 Dividend income.
690 Miscellaneous other income.
691 Release of premium on long-term debt.
692 Unusual or infrequent items (credit).
695 Revenue from non-shipping operations.
697 Income from affiliated companies.

Operating Expenses

(A) Direct Vessel Expenses

ACCOUNT

Sec.
701 Crew wages.
703 Crew fringe benefits.
704 Union payments unrelated to the crew.
708 Payroll taxes.
710 Domestic subsistence.
714 Foreign subsistence.
715 Domestic consumable stores, supplies and equipment.
716 Foreign consumable stores, supplies and equipment.
725 Other maintenance expense.
730 Insurance—hull and machinery.
732 Insurance—protection and indemnity.
734 Insurance—other marine-risk.
735 Vessel fuel.
740 Vessel repairs—domestic.
741 Vessel repairs—foreign.
742 Depreciation—vessels.
743 Time and trip charter hire.
744 Time and trip charter hire—affiliates.
745 Short-term bareboat charter hire.
746 Short-term bareboat charter hire—affiliates.
747 Long-term bareboat charter hire.
748 Long-term bareboat charter hire—affiliates.
749 Other vessel expenses.

(B) Allocated Voyage Expense

ACCOUNT

750 Allocated container and barge expense.
751 Allocated terminal expense.

(C) Port Expense

ACCOUNT

752 Cargo handling-loading/discharging.
753 Cargo handling-loading/discharging barges.
754 Cargo handling—container yard.
755 Cargo handling—container freight station.
756 Cargo handling—lighter freight station.
757 Cargo handling—lighter consolidation.
758 Cargo handling—commercial cargo.
759 Cargo handling—other.
762 Purchased off-dock container freight station services.
763 Port transportation expense—commercial.
764 Port transportation expense—military.
765 Inland transportation expense—commercial.
766 Inland transportation expense—military.
767 Substituted service transportation expense—commercial.
768 Substituted service transportation expense—military.
770 Wharfage and dockage.
771 Other port expenses.
772 Port costs of passenger operations.
773 Transit canal tolls.

(D) Idle Vessel Expense

ACCOUNT

801 Crew wages.
803 Crew fringe benefits.
804 Union payments unrelated to the crew.
808 Payroll taxes.
810 Subsistence.
815 Consumable stores, supplies and equipment.
825 Other maintenance expense.
830 Insurance—hull and machinery.
832 Insurance—protection and indemnity.
834 Insurance—other marine-risk.
835 Vessel fuel.
840 Vessel repairs.
842 Depreciation—idle vessels.
843 Time and trip charter hire.

Sec.
844 Time and trip charter hire—affiliates.
845 Short-term bareboat charter hire.
846 Short-term bareboat charter hire—affiliates.
847 Long-term bareboat charter hire.
848 Long-term bareboat charter hire—affiliates.
849 Other vessel expense.

(E) TERMINAL EXPENSE

855 Terminal operations expense—container yards.
856 Terminal operations expense—container freight station/breakbulk.
857 Terminal operations expense—barges.
858 Terminal operations expense—other.
859 Depreciation—terminal property and equipment.
860 Amortization—terminal leaseholds and leasehold improvements.
861 Other expense—terminal equipment.
862 Operating expense of tug and barge operations.
863 Maintenance expense of tug and barge operations.
864 Depreciation—other floating equipment.
866 Allocated terminal expense—contra.

(F) CONTAINER/BARGE EXPENSE

867 Container rental and lease expense.
868 Container rental and lease expense—affiliates.
869 Refrigerated container rental and lease expense.
870 Refrigerated container rental and lease expense—affiliates.
871 Chassis rental and lease expense.
872 Chassis rental and lease expense—affiliates.
873 Trailer rental and lease expense.
874 Trailer rental and lease expense—affiliates.
875 Barge rental and lease expense.
876 Barge rental and lease expense—affiliates.
877 Container related equipment rental and lease expense.
878 Container related equipment rental and lease expense—affiliates.
879 Other cargo handling equipment rental and lease expense.
880 Other cargo handling equipment rental and lease expense—affiliates.
881 Depreciation—container.
882 Depreciation—refrigerated containers.
883 Depreciation—chassis and trailer equipment.
885 Depreciation—barges.
886 Depreciation—container related equipment.
888 Other expense—containers.
889 Other expense—refrigerated containers.
890 Other expense—chassis.
891 Other expense—trailers.
892 Other expense—barges.
893 Other expense—other container equipment.
894 Other expense—other cargo handling equipment.
899 Allocated container/barge expense—contra.

(G) ADMINISTRATIVE AND GENERAL EXPENSES

901 Compensation of officers and directors.
902 Salaries and wages of employees.
903 Fringe benefits.
905 Legal fees.
906 Accounting and auditing fees.
907 Other professional fees.
910 Rental expense.
912 Utilities.
915 Communication expense.
920 Office expense.
923 Data processing equipment rental expense.

Sec.
925 Dues and subscriptions.
926 Donations and contributions.
929 Entertainment and solicitation.
930 Travel expense.
931 Insuranse expense.
931 Insurance expense.
934 Repairs and maintenance.
940 Management fees and commissions—affiliates.
941 Management fees and commissions—other.
945 Advertising—passenger.
946 Advertising—other.
950 Freight brokerage.
951 Passenger brokerage.
952 Agency fees and commissions.
955 Contributions to pools.
960 Interest expense.
961 Interest expense—affiliates.
965 Doubtful notes and accounts receivable.
970 Depreciation—other shipping property and equipment.
971 Depreciation—non-shipping property and equipment.
975 Amortization—office leaseholds and leasehold improvements.
976 Amortization—debt discount and expense.
977 Amortization—organization expense.
979 Miscellaneous amortization expense.
980 Expense of non-shipping operations.
983 Income or loss from operations of discontinued segments.
984 Gain or loss on disposal of discontinued segments.
985 Income taxes accrued on ordinary income.
986 Provision for deferred income taxes.
987 Income taxes on extraordinary items.
988 Provisions for deferred taxes—extraordinary items.
989 Other taxes.
990 Miscellaneous expense.
991 Unusual or infrequent items (debit).
995 Extraordinary items.
996 Cumulative effect of changes in accounting principles.

APPENDIX

Clearance Accounts

.001 Masters and pursers.
.005 Allotments on wages of crews.
.010 Agents and branch houses.
.012 Sub-agency operations.
.015 Related companies; accounts current.
.025 Collections and deposits for passenger transportation.
.030 Collections on unrecorded freight manifests.
.035 Advance on prepaid beyond charges, and miscellaneous manifest items.
.040 Bar accounts.
.045 Slop chest account.
.050 Foreign exchange account.
.055 Pool participation.
.060 Stores, supplies, and equipment aboard vessels.
.095 Profit and loss account.

Financial Statements

(A) *Balance sheet.*
(B) *Income statement.*
(C) *Waterline operating revenue and expense.*
(D) *Vessel operating statement.*

AUTHORITY: The provision of this Part 1208 issued under Sec. 12, 24 Stat. 383, as amended, 54 Stat. 933, Sec. 20, 24 Stat. 386, as amended, 54 Stat. 944, as amended; (49 U.S.C. 12, 904, 20, 913).

01 Abstract from law: Interstate Commerce Act.

Part I and III of the Interstate Commerce Act, of which section 313(c) of part III reads as follows:

The Commission may, in its discretion, for the purpose of enabling it the better to carry out the purposes of this part prescribe a uniform system of accounts, applicable to any class of water carrier, and a period of time, within which such class shall have such uniform system of accounts and the manner in which such accounts shall be kept.

NOTE: For comparable provisions, under part I, see section 20(3).

General Instructions

(A) Definitions.

(1) "Additions" means structures, facilities, or equipment added to those in service and not replacing property or equipment previously in service.

(2) "Affiliated companies" or "affiliates" means companies or persons that directly, or indirectly through one or more intermediaries, control, or are controlled by, or are under common control with, the accounting carrier. Where reference is made to control (in referring to a relationship between any person or persons and other person or persons), such reference shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers, or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.

(3) "Barge" means a cargo carriage technology type known as a lighter, used in the operation of LASH, SEABEE or similar operation to hold bulk, break bulk, and containerized cargo, and which may be stowed in holds or on deck, and which has the capability of floating on water and being towed from one location to another.

(4) "Break-bulk" means a cargo carriage technology type referring to cargo which is unitized by bagging, drumming, palletizing, or some other similar method, and is transported in holds of vessels without benefit of containers or barges.

(5) "Bulk" means a cargo carriage technology type referring to cargo which is not palletized, bagged, drummed, or otherwise unitized, and is transported in holds of vessels without benefit of containers or barges. Bulk cargo is considered barge cargo when it is placed in barges.

(6) "Cargo carriage technology type (CCTV)" means the classification of cargo for accounting purposes by its mode of carriage, including: (i), barge; (ii), break-bulk; (iii), bulk; (iv), container, and (v), vehicle.

(7) "Container" means a cargo carriage technology type referring to cargo carrying recepticle, either refrigerated, dry, or liquid, open top, flat rack, or of other configuration, which may be stowed in vessels or on deck, but which is not used as a floating vehicle which may be towed from one location to another.

(8) "Current assets" means cash other than cash held in special funds, as well as those assets that are readily convertible

into cash, held for current operation, and other amounts accruing to the carrier and subject to settlement within one year from date of the balance sheet.

(9) "Current liabilities" means those obligations the amounts of which are definitely determined or can be closely estimated and which are either matured at the date of the balance sheet or become due upon demand or within one year from the date of the balance sheet.

(10) "Debt expense" means all expense in connection with the issuance and sale of evidences of long-term debt, such as fees for drafting mortgages and trust deeds; fees and taxes for issuing or recording evidences of debt; cost of engraving and printing bonds, certificates of indebtedness, and other evidences of debt; fees paid trustees; specific cost of obtaining governmental authority; fees for legal services; fees and commissions paid underwriters, brokers, and salesmen for marketing evidences of debt; fees and expenses of listing on exchanges; and other like costs.

(11) "Discount", as applied to securities issued or assumed by the carrier, means the excess of the par or face value of the securities, over the cash value of the consideration received from the sale, plus interest or dividends accrued to the date of the sale.

(12) "Nonshipping property" means property neither used in nor held for use by the carrier in the conduct of its shipping operation.

(13) "Port expense" means an expense incurred as a direct result of the movement of cargo to and from ships and the expenses incurred in the docking and undocking of ships.

(14) "Terminal expense" means all expenses related to maintaining terminals for handling breakbulk, containers, vehicles and barges and the costs of tug, other barge operations and other floating equipment.

(15) "Premiums", as applied to securities issued or assumed by the carrier, means the excess of the cash value of the consideration received at their sale over the sum of their par or face value plus interest or dividends accrued to the date of sale.

(16) "Vehicle" means a cargo carriage technology type referring to cargo carrying receptacles or containers only when mounted on wheeled chassis which can be towed as a unit.

(17) "Shipping property" means property which is used or held for use by the carrier in the conduct of its shipping operation.

(18) "Vessel expense" means an expense incurred as a direct result of owning and operating vessels in the carriage of cargo or passengers in domestic or foreign trade, whether the vessel is in port or at sea.

(19) "Income taxes" means taxes based on income determined under provisions of the United States Internal Revenue Code and foreign, state and other taxes (including franchise taxes) based on income.

(20) "Income tax expense" means the amount of income taxes (whether or not currently payable or refundable) allocable to a period in the determination of net income.

(21) "Pretax accounting income" means income or loss for a period, exclusive of related income tax expense.

(22) "Taxable income" means the excess of revenues over deductions or the excess of deductions over revenues to be reported for income tax purposes for a period.

(23) "Timing differences" means differences between the periods in which transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income. Timing differences originate in one period and reverse or "turn around" in one or more subsequent periods. Some timing differences reduce income taxes that would otherwise be payable currently; others increase income taxes that would otherwise be payable currently.

(24) "Permanent differences" means differences between taxable income and pretax accounting income arising from transactions that, under applicable tax laws and regulations, will not be offset by corresponding differences or "turn around" in other periods.

(25) "Tax effects" means differentials in income taxes of a period attributable to (1) revenue or expense transactions which enter into the determination of pretax accounting income in one period and into the determination of taxable income in another period, (2) deductions or credits that may be carried backward or forward for income tax purposes and (3) adjustments of prior periods and direct entries to other stockholders' equity accounts which enter into the determination of taxable income in a period but which do not enter into the determination of pretax accounting income of that period. A permanent difference does not result in a "tax effect" as that term is used in this definition.

(26) "Deferred taxes" means tax effects which are deferred for allocation to income tax expense of future periods.

(27) "Interperiod tax allocation" means the process of apportioning income taxes among periods.

(28) "Tax allocation within a period" means the process of apportioning income tax expense applicable to a given period between income before extraordinary items and extraordinary items, and of associating the income tax effects of adjustments of prior periods and direct entries to other stockholders' equity accounts with these items.

(29) "Investor" means a business entity that holds an investment in voting stock of another company.

(30) "Investee" means a corporation that issued voting stock held by an investor.

(31) "Corporate joint venture" is a company owned and operated by a small group of businesses as a separate and specific business or project for the mutual benefit of the members of the group.

(32) "Dividends", unless otherwise specified, means dividends paid or payable in cash, other assets, or another class of stock and does not include stock dividends or stock splits.

(33) "Earnings or losses of an investee" and "financial position of an investee" refer to net income (or net loss) and financial position of an investee determined in accordance with generally accepted accounting principles.

(34) "Segment of a business" refers to a component of an entity whose activities represent a separate major line of business or class of customer. A segment may be in the form of a subsidiary, a division, or a department, and in some cases a joint venture or other non-subsidiary investee, provided that its assets, results of operations, and activities can be clearly distinguished, physically and operationally and for financial reporting purposes, from the other assets, results of operations, and activities of the entity.

(35) "Measurement date" means the date on which the management having authority to approve the action commits itself to a formal plan to dispose of a segment of the business, whether by abandonment or sale.

(36) "Disposal date" refers to the date of closing the sale if the disposal is by sale or the date that operations cease if the disposal is by abandonment.

(B) Records.

(1) The carrier's accounting records shall be kept in sufficient detail to show fully the facts pertaining to all entries in its accounts.

(2) Where the general ledger book entries do not contain complete information they shall be supported by other detailed records, and cross-referenced for ready identification.

(3) All records shall be filed and readily accessible for examination.

(4) All accounts reported shall conform in number and title to those prescribed in this part.

(5) Accounts included in this system may be subdivided if such subaccounts do not impair the integrity of the accounts or records prescribed in this part.

(6) Transactions shall be recorded currently so that whenever possible all transactions applicable to each month are identifiable to that month.

(C) Accrued items.

(1) When it is known that a transaction has occurred but the amount involved and its effect upon the accounts cannot be determined with absolute accuracy, the amount thereof shall be estimated and included in the appropriate revenue, expense and balance sheet accounts. Any such estimate shall be adjusted as soon after the actual amount is determined as is practicable.

(2) Accruals shall not be recorded for purely speculative items, but shall be limited to reasonable estimates based on reliable information of transactions that have been consummated.

(D) Submission of questions.

To promote and maintain uniformity of accounting, carriers shall submit all questions involving an interpretation of the accounting regulations for consider-

ation and decision to the agency having jurisdiction over the carrier's accounts.

(E) Voyage accounts.

(1) The carrier shall keep its records in a manner that will report with respect to operating revenue, operating expense, and other accounts affected, the revenues accrued and the expenses incurred for each terminated voyage of its vessels operated.

(2) The revenues and expenses applicable to unterminated voyages at the end of an accounting period shall be transferred to account 500, "Deferred revenues-unterminated voyages" and account 200, "Deferred expenses-unterminated voyages."

(F) Balance sheet accounts.

The balance sheet accounts are intended to disclose the financial condition of the carrier as of a given date by showing the assets, liabilities, and owner's equity.

(G) Conversion of securities.

Journal entries which record the retirement of capital stock or funded debt securities by issuing in exchange the carrier's capital stock or funded debt shall be submitted to the Interstate Commerce Commission for approval before being recorded upon the books by carriers reporting to that Commission.

(H) Contingent assets and liabilities.

Contingent assets and liabilities shall not be recorded in the accounts; however, appropriate footnote disclosures shall be included as an integral part of the financial statements in order to present fairly the financial position of the carrier as of the balance sheet date. Disclosure of lease commitments by lessee shall include information required by opinion number 31 of the Accounting Principles Board with respect to total rental expense, minimum rental commitments, present value of commitments and additional disclosures. Those companies subject to the regulations of the Securities and Exchange Commission (SEC) shall disclose the information required by (SEC) Regulation S-X.

(I) Revenue accounts.

(1) The revenue accounts are designed to show the amount of revenue which the carrier becomes entitled to receive from furnishing of transportation service, including services incidental thereto.

(2) The accounting for operating revenues shall be coincident with the transactions which create them. For the purpose of meeting this requirement, the carrier shall account for revenues upon an accrual basis.

(J) Expense accounts.

(1) The expense accounts are designed to show expenses of the carrier in furnishing transportation service including services incidental thereto, such as the expenses of utilization (repairs and depreciation) of the property used in such service.

(2) The accounting for expenses shall be coincident with the transactions which create them; expenses and revenues shall be matched. For the purpose of meeting this requirement, the carrier shall account for expenses on an accrual basis.

(K) Extraordinary items, unusual or infrequent items, discontinued operations, prior period adjustments, and accounting changes.

(1) *Extraordinary items.* (i) All items of profit and loss recognized during the year are includible in ordinary income unless evidence clearly supports their classification as extraordinary items. Extraordinary items are characterized by both their unusual nature and infrequent occurrence taking into account the environment in which the firm operates; they must also meet the material standard.

(ii) Unusual means the event or transaction must possess a high degree of abnormality and be of a type clearly unrelated to, or only incidentally related to the ordinary and typical activities of the entity.

(iii) Infrequent occurrence means the event or transaction shall be of a type not reasonably expected to recur in the foreseeable future.

(iv) In determining materiality, as a general standard an item shall exceed 10 percent of ordinary income or be considered in relation to the trend of annual earnings before, extraordinary items or to other appropriate criteria. Items shall be considered individually and not in the aggregate in determining materiality. However, the effects of a series of related transactions arising from a single specific and identifiable event or plan of action shall be aggregated to determine materiality.

(2) *Unusual or infrequent items.* Material events unusual in nature or infrequent in occurrence but not both, thus not meeting both criteria for classification as extraordinary, shall be includible in the accounts provided as separate components of income/expense from continuing operations. Such items are not to be reported net of income taxes.

(3) *Discontinued operations.* The results of continuing operations shall be reported separately from discontinued operations and any gain or loss resulting from disposal of a segment of a business (see definition (34)) shall be reported in conjunction with the related results of discontinued operations and not as an extraordinary item. The disposal of a segment of a business shall be distinguished from other disposals of assets incident to the evolution of the entity's business, such as the disposal of part of a line of business, the shifting of production or marketing activities for a particular line of business from one location to another, the phasing out of a product line or class of service, and other changes occasioned by technological improvements. If a loss is expected from the proposed sale or abandonment of a segment, the estimated loss shall be provided for at the measurement date (see definition (35)). If a gain is expected, it shall be recognized when realized, which ordinarily is the disposal date (see definition (36)).

(4) *Prior period adjustments.* Adjustments occurring in the current accounting period, relating to events or transactions which occurred in a prior period the accounting effects of which could not be determined with reasonable assurance at that time, shall be reported as prior period adjustments. Such adjustments shall not be considered prior period unless: (i) they can be specifically identified with and directly related to the business activities of particular prior periods, and (ii) are not attributable to economic events occurring subsequent to the date of the financial statements for the prior period, and (iii) depend primarily on determinations by persons other than management, and (iv) were not susceptible of reasonable estimation prior to such determination. If an adjustment does not meet such criteria, it shall be separately disclosed as to year of origin, nature, and amount and classified in the current period in the same manner as the original item. If the adjustment is the correction of an error it shall be reported as a prior period adjustment.

(5) *Accounting Changes.* A change in accounting principle or accounting entity should be referred to this Commission for approval. The cumulative effect of a change in accounting principle should ordinarily be reflected in the account provided for in determining net income; in certain cases accounting changes may be reflected as prior period adjustments. Changes in accounting estimate should ordinarily be reflected prospectively.

(6) *Materiality.* In determining materiality, as a general standard an item shall exceed 10 percent of ordinary income or be considered in relation to the trend of annual earnings before extraordinary items or to other appropriate criteria. Items shall be considered individually and not in the aggregate in determining materiality. However, the effects of a series of related transactions arising from a single specific and identifiable event or plan of action shall be aggregated to determine materiality.

(7) *Commission Approval and Accountant's Letter.* Items shall be included in the accounts provided for extraordinary items, unusual or infrequent items, discontinued operations, prior period adjustments and cumulative effect of changes in accounting principles only upon approval of the Commission. If the carrier retains the service of an independent accountant, a request for using these accounts shall be accompanied by a letter from the independent accountant approving or otherwise commenting on the request.

(L) Accounting for income taxes.

(1) The interperiod tax allocation method of accounting shall be applied where material timing differences (see definition (23)) occur between pretax accounting income and taxable income. Carriers may elect, as provided by the Revenue Act of 1971, to account for the investment tax credit by either the flow through method or the deferred method of accounting. See paragraphs (4) and

(5) below. All income taxes (Federal, state, and other) currently accruable for income tax return purposes shall be charged to account 985, "Income taxes accrued on ordinary income", and account 987, "Income taxes on extraordinary items", as applicable.

(2) Under the interperiod tax allocation method of accounting the tax effect of timing differences (see definitions (25) and (23)) originating in the current accounting period are allocated to income tax expense of future periods when the timing differences reverse. Similar timing differences originating and reversing in the current accounting period should be combined into groups and the current tax rates applied to determine the tax effect of each group. A carrier shall not apply other than current tax rates in detremining the tax effect of reversing differences except upon approval of the Commission. When determining the amount of deferred taxes, rather than computing state and other taxes individually by jurisdiction, the Federal income tax rate may be increased by a percent equivalent to the taxes imposed by the jurisdictions.

(3) The future tax benefits of loss carryforwards shall normally be recognized in the year in which such loss is applied to reduce taxes. Only in those unusual instances when realization is assured beyond any reasonable doubt should the future tax benefits of loss carryforwards be recognized in the year of loss. The tax effects of any realizable loss carrybacks shall be recognized in the determination of net income (loss) of the loss periods; appropriate adjustments of existing net deferred tax credits may also be necessary in the loss period.

(4) Carriers electing to account for the investment tax credit by the flow through method shall credit account 985, "Income taxes accrued on ordinary income," or account 987, "Income taxes on extraordinary items," as applicable, and charge account 443, "Accrued liability for Federal income taxes", with the amount of investment tax credit utilized in the current accounting period.

(5) Carriers electing to account for the investment tax credit by the deferred method shall concurrently with making the entries prescribed in (4) above charge account 986, "Provision for deferred income taxes" or account 988, "Provision for deferred income taxes—extraordinary items," as applicable, and shall credit account 563, "Accumulated deferred income tax credits" with the investment tax credit utilized as a reduction of the current year's tax liability but deferred for accounting purposes. The investment tax credit so deferred shall be amortized by credits to account 986, "Provision for deferred income taxes".

NOTE A: Any change in practice of accounting for the investment tax credit shall be reported promptly to the Commission. Carriers desiring to clear deferred investment tax credits because of a change from the deferral method to the flow through method shall submit the proposed journal entry to the Commission for consideration and advice.

NOTE B: A carrier shall follow generally accepted accounting principles where an interpretation of the accounting rules for income taxes is needed or obtain an interpretation from its public accountant or the Commission.

(M) Recorded value of securities owned.

(1) Investments in the securities of any company other than those issued or assumed by the accounting company, where the investment does not represent 20 percent or more of the outstanding voting common stock of the company should be recorded at cost and should not be stated in excess of cost. Exceptions to this rule may be approved by the Commission in special circumstances where an investment of less than 20 percent gives the accounting company power to significantly influence the financial and policy making decisions of the investee.

(2) All investments in common stocks of affiliated companies where the investment represents 20 percent or more of the voting common stock of the company and all investments in corporate joint ventures (see definition (31)) shall be accounted for according to the principles of equity accounting as prescribed in paragraph (3) below.

(3) The principles of equity accounting provide that the accounting company shall record all investments described in paragraph (2) above as follows:

(i) All investments when acquired shall be recorded in the appropriate account at cost. Any difference between the cost of the investment and the investor carrier's equity in net assets of the affiliated company shall be amortized to account 697, "Income from affiliated companies," over a reasonable period not to exceed 40 years.

(ii) The investor shall record in account 697, "Income from affiliated companies", its share of the affiliated company's profits or losses (see (iii) below for extraordinary and prior period items) for each accounting period subsequent to acquisition of the investment except that in the year of acquisition such amount shall be determined from the date of acquisition. Dividends received shall be recorded by credit to the investment account.

(iii) The accounting company shall record its share of extraordinary items and its share of prior period adjustments reported in the affiliated companies' financial statements according to the provisions of instruction K.

(iv) Any profits or losses on transactions between the accounting company and the investee affiliate shall be eliminated until realized by the accounting company or the investee company as if the two were consolidated.

(v) A transaction of the investee of a capital nature that affects the accounting company's share of stockholders' equity of the investee should be accounted for as if the two were consolidated.

(vi) Sales of stock of an investee by an investor company should be accounted for as gains or losses equal to the difference at the time of sale between selling price and the carrying amount of the stock sold.

(vii) The financial statements of the investee that are used for equity accounting should be timely. If the accounting year of the investee differs from that of the accounting carrier then the most recent statements may be used. A lag in reporting should be consistent from period to period.

(viii) An investor company should suspend application of the equity method when the investment together with any net advances made to the investee is reduced to zero. Additional losses should not be provided for unless the accounting company has guaranteed obligations of the investee or is otherwise committed to provide further financial support for the investee. If the investee subsequently reports net income the accounting carrier shall resume applying the equity method at such time as its share of that net income equals the share of net losses not recognized during the period of suspension.

(ix) The accounting company shall deduct any dividends applicable whether or not declared on outstanding cumulative preferred stock of the investee affiliate when computing its share of earnings or losses.

(x) When the accounting company voting stock interest falls below the level of ownership described in paragraph (2) above the investment no longer qualifies for the "equity method". Any dividends received on the investment in subsequent periods shall be applied as a reduction of the carrying amount of the investment to the extent they exceed the accounting carrier's share of earnings for such periods.

(xi) When the level of ownership of an investment accounted for under the cost method increases to that described in paragraph (ii) above, then the investment shall be accounted for under the equity method. The investment, net income (current and prior periods) and retained earnings of the accounting carrier shall be adjusted retroactively (see Instruction K). The adjustment should be made on a step by step basis determining the income, dividend, and amortization adjustment applicable at each level of ownership.

(4) The accounting company shall write down the cost of any investment to the extent of impairment in values; however, mere fluctuations in market value shall not be recorded. Write downs for impairment shall not be delayed beyond the year in which a loss is claimed for income tax purposes. The loss may be recorded in the accounts by establishing a reserve for such loss through credits to account 329, "Decline in value of investments". Losses attributable to write downs or write offs shall be charged to account 690, "Miscellaneous Other Income".

(5) When securities with a fixed maturity date are purchased at a discount (i.e., when total cost including brokerage fees, taxes, commissions, etc., is less than par), such discounts may be amortized over the remaining life of the securities

through periodic debits to the account in which the securities are carried (preferably coincident with entries recording interest accruals) and credits to the same account in which interest income is credited. No debits shall be made in respect to discounts upon securities held as investments or in special funds if there is reason to believe that such securities will be disposed of by redemption or otherwise at less than par or will not be paid at date of maturity. When securities with a fixed maturity date are purchased at a premium (i.e., when the total cost including brokerage fees, taxes, commissions, etc., is in excess of par), such premium may be amortized over the remaining life of the securities through periodic credits to the account in which the securities are carried (preferably coincident with entries recording interest accruals) and debits to the same accounts in which the interest income is recorded.

NOTE: Cost (for purposes of this instruction) is cash or fair market value of the consideration given at the time of acquisition but excluding amounts of accrued interest and accrued dividends.

(N) Transaction with affiliated companies.

(1) All transactions with affiliated companies shall be entered in the appropriate accounts provided for transactions of the same nature.

(2) Transportation-related charges from affiliated companies shall be debited to the appropriate operating expense accounts. (Where applicable the component of each account shall be distributed to the appropriate activity.)

(3) Each bill rendered by an affiliated company shall state the specific basis for charges concerning any type of service rendered, sale or use of facilities or any other type of asset or property, with an adequate description of such basis used.

(4) The carrier shall record, as the cost of assets or services received from an affiliated supplier, their invoice price in those cases where the invoice price can be determined from a prevailing price list of the affiliated supplier available to the general public in the normal course of business. If no such price list exists, the charges shall be recorded at the lower of their cost to the originating affiliated supplier (less all applicable valuation reserves in case of asset sales), or their estimated fair market value determined on the basis of a representative study of similar competitive and arm's-length or bargained transactions. Any differences between actual transaction prices and the above, as well as charges that are not transportation related, shall be considered of a financing nature and shall be recorded accordingly, as nonoperating charges or credits.

(5) The records supporting all transactions with affiliated companies shall be so maintained in a separate file as to show the contractual arrangement for each transaction, the amounts paid to and received from each company, and the basis of each assessment.

(6) The file maintained pursuant to this instruction shall be kept in such a manner as to enable the carrier to furnish accurately and expeditiously information and supporting documentation relating to the transactions. It is not intended that the file include data relating to ordinary carrier operation such as lawful tariff charges, interchange of equipment and similar items.

(7) Punched cards, magnetic tapes, discs, or other machine-sensible device used for recording, consolidating, and summarizing accounting transactions and records with a carrier's electronic or automatic data processing system shall constitute a file within the meaning of this instruction, provided the carrier maintains the capability to produce a record of transactions with affiliates within 10 days of a request of the Commission.

(8) Nothing contained herein shall be construed as restraining the carrier from subdividing accounts (see Instruction b(5)) for the purpose of recording separately transactions with affiliated companies.

(O) Charges to be just and reasonable.

All charges to the accounts prescribed in this system of accounts for carrier property, operating revenues, operation and maintenance expenses, and other carrier expenses, shall be just, reasonable and necessary to the honest and efficient operations and management of the carrier business. Payments should not exceed the fair market value of goods and services acquired in an arms-length transaction. Any payments in excess of such just and reasonable charges shall be included in account 990, "Miscellaneous expense".

Balance Sheet Accounts

(A) ASSET ACCOUNTS

ACCOUNT

100 Cash.

(a) This account shall include the amount of current funds available for use on demand in the hands of financial officers or deposited in banks or trust companies including cash in transit for which agents or others have received credit. Cash appropriated for replacement, debt retirements, funded reserves, etc., and cash on deposit to guarantee performance of agreements shall be carried in appropriate accounts numbered 115 and 301 to 312, inclusive. If the withdrawal of any portion of the cash included in this account is restricted for any purpose whatsoever, the balance sheet must carry an appropriate notation to that effect.

(b) This account shall be subdivided into the following sub-accounts: 101, 106, 111, and 114.

101 Cash on deposit—domestic.

This account shall include all cash on deposit in banks in the United States and available for general purposes.

106 Cash on deposit—foreign.

This account shall include all cash on deposit in foreign banks and available for general purposes.

111 Imprest and petty cash funds.

This account shall include cash funds maintained at fixed amounts to be used in making change or in the nature of revolving funds for minor disbursements requiring immediate payment, the funds being regularly reimbursed from the general cash. Subsidiary accounts shall be maintained by agents or by type of fund.

114 Cash on hand and in transit.

This account shall include cash in the hands of financial officers; cash transfers between banks; and cash in transit from agents, branch houses, and employees.

115 Special cash deposits.

(a) This account shall include the amounts of cash on special deposit (other than in special funds or deposits as elsewhere provided) for the payment of dividends, interest, and other debts of a current nature, when such payments are due one year or less from date of deposit; also amounts of cash deposited to insure the performance of contracts to be performed within one year from date of deposit; and other cash deposits of a special nature not provided for elsewhere.

(b) This account shall also include cash realized from the sale of the carrier's securities and deposited with trustees to be held until disbursed for the purpose for which the securities were sold: Provided, that cash held for such purposes, including cash held for redemption of securities, shall be included in the appropriate special funds unless the liability for the disbursement is included under current liabilities.

(c) Cash on deposit in special bank accounts where the funds are available for current requirements shall be included in account 100, "Cash."

120 Marketable securities.

(a) This account shall include the cost of government securities and temporary investments in other readily marketable securities which are available for general purposes of the business. Securities issued or assumed by the carrier or by a related company shall not be included in this account.

(b) Subsidiary accounts shall be maintained as determined necessary.

129 Discounts and premiums on marketable securities.

This account may be charged with accumulation of any discount and may be credited with amortization of any premium on marketable securities, at the time of accrual or collection of interest thereon, with contra entry in Account 675, "Interest income" if it is the practice of the carrier to adjust that account to a yield basis. When the securities are disposed of, any balance applicable thereto in this account shall be transferred to the account in which the cost of such securities is recorded.

130 Notes receivable.

(a) This account shall include the amount of all collectible obligations in the form of short-term notes receivable, or other similar evidences (except in-

terest coupons) of money receivable on demand or within one year from date of issue, except notes receivable from related companies subject to current settlement, which shall be included in account 140, "Notes receivable—affiliates."

(b) This account shall be divided into the following sub-accounts:

131 *Miscellaneous notes receivable.*
135 *Subscriptions to capital stock.*

140 Notes receivable—affiliates.

(a) This account shall include the amount of all obligations in the form of short term notes receivable from related companies which are subject to current settlement.

(b) Items which are not subject to current settlement shall be included in account 319, "non-current notes receivable—affiliated companies."

(c) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

150 Accounts receivable.

This account shall be divided into the following subaccounts: 151–153, 155, 160–162, 165, and 168.

151 Traffic accounts receivable—U.S. Government.

(a) This account shall include accounts receivable from U.S. Government agencies arising incident to the carriage of passengers, excess baggage, freight, and mail.

(b) Subsidiary accounts shall be maintained by individual agencies and by vessels and voyages.

152 Traffic accounts receivable—other.

(a) This account shall include accounts receivable from shippers, consignees, connecting carriers, and others (excluding related companies) arising incident to the carriage of passengers, excess baggage, freight, and mail.

(b) Subsidiary accounts shall be maintained by individual debtors and by vessels and voyages.

(c) Receivables from any agent with whom assignments are made to disburse vessels from revenue collections shall not be included in this account, but shall be included in account 010, "Agents and branch houses."

153 Accounts receivable—affiliates.

(a) This account shall include the amounts receivable from related companies which are subject to current settlement, such as balances in open accounts for services rendered, materials furnished, traffic accounts, rents for use of property and similar items; also interest, dividends, loans, notes and drafts for which related companies are liable.

(b) Items which are not subject to current settlement shall be included in account 320, "Non-current accounts receivables—affiliated companies."

(c) Subsidiary accounts shall be maintained by companies and shall show all essential details.

155 Claims receivable.

(a) This account shall include claims transferred from account 361, "Claims pending" and other adjusted claims collectible within one year.

(b) Subsidiary accounts shall be maintained in the names of the insurance underwriters, connecting carriers, or other entities with whom the claim has been filed and detailed as to the identity of the claims outstanding within each subsidiary account.

160 Accounts receivable—Maritime Administration — operating - differential subsidy.

This account shall include operating-differential subsidy accruals, expected to be collected within one year.

161 Accounts receivable—Maritime Administration — construction - differential subsidy.

This account shall include construction-differential subsidy accruals.

162 Accounts receivable—Maritime Administration—other.

This account shall include all other current receivables that may arise from transactions between the carrier and the Maritime Administration.

165 Accounts receivable—miscellaneous.

(a) This account shall include all accounts receivable from other than related companies for which no other account is specifically provided, including all amounts receivable from officers, employees and others, which are collectible in the ordinary course of business within one year.

(b) Subsidiary accounts shall be maintained by debtors.

168 Accrued accounts receivable.

(a) This account shall be used for periodic accruals of unmatured receivables such as interest, rents, dividends and charter-hires, provided; the collection thereof is reasonably assured by past experience, anticipated provisions, or otherwise.

(b) This account shall not be charged with accrued interest on securities on deposit in account 301 "Capital reserve fund" and account 302 "Capital construction fund," with accrued receivables from related companies, which are chargeable to account 153, "Accounts receivable—affiliates," or with dividends or other returns on securities issued by the company.

169 Estimated allowances for doubtful notes and accounts receivable.

This account shall be credited at the close of each accounting period with the amount charged to account 965 "Doubtful notes and accounts receivable" to provide for estimated uncollectible notes and accounts. For balance sheet purposes, the balance in this account shall be segregated between current and non-current items.

170 Inventories—shoreside.

(a) This account shall include the cost of all unissued and unapplied materials, articles in process of manufacture by the carrier, fuel, tools, stationery, and other stores and supplies, but excluding fuel, stores, and supplies on board vessels, and spare parts includable in account 362 "Spare parts on which construction-differential subsidy has been paid" and account 363 "Spare parts—other."

(b) The costs chargeable to this account are the actual costs of the material and supplies at point of free delivery, plus custom duties, sales and other taxes, insurance, inspection, special tests, loading and unloading, and transportation charges paid from the free point of delivery to the carrier's line. No charge shall be made to this account for the cost of transporting material and supplies when performed by the carrier.

(c) An annual inventory of material and supplies shall be taken, except in instances where inventories are waived by the Interstate Commerce Commission or the Maritime Administration, and the necessary adjustments made to bring this account into harmony with the actual inventory balance. In effecting such adjustments, differences for important classes of material shall be equitably assigned among the accounts to which such classes are ordinarily chargeable.

(d) This account shall be divided into the following sub-accounts: 171–175.

171 Vessels stores, supplies, and equipment ashore.

(a) This account shall include the cost of all stores, supplies, and equipment held for delivery to vessels including quantity purchases warehoused and delivered to vessels as required.

(b) Subsidiary accounts shall be so maintained as to show location of inventories.

172 Other shipping inventories.

(a) This account shall include the cost of all stores, supplies, and equipment held for use in the conduct of the shipping business, including terminal, cargo handling, tug and lighters, and other incidental shipping operations, for which no other account is specifically provided.

(b) Subsidiary accounts shall be maintained to show location of inventories.

173 Nonshipping inventories for sale.

This account shall include inventories of merchandise for sale by firms engaged in nonshipping enterprises and shall be maintained so as to show separately the major classes of inventory such as raw materials, work in process, and finished goods.

174 Nonshipping inventories for consumption.

This account shall include the cost of all stores, supplies and equipment, held for use in the conduct of non-shipping enterprises, other than merchandise for sale.

175 Miscellaneous inventories.

This account shall include the cost of all stores, supplies and equipment acquired for use in the conduct of the business which cannot be allocated as between shipping and non-shipping enterprises.

190 Other current assets.

This account shall be divided into the following sub-accounts: 191–193 and 199.

191 Prepaid current insurance.

This account shall include the unexpired amount of insurance premiums paid, or recorded as a liability in advance of payment, but only to the extent that such premiums apply to the period within one year of the date of the balance sheet and are properly chargeable within that period to appropriate 700, 800 or 900 series of accounts. This account shall be subdivided to show separately prepayments on the several classes of insurance.

192 Advances to officers and employees for expenses.

(a) This account shall include all amounts advanced to officers and employees for travel, entertainment, and similar expenses, from which such expenses are to be paid and accounted for. This account shall not include imprest and petty cash funds in fixed amounts held by employees and branch offices for the purpose of making minor expenditures.

(b) Subsidiary accounts shall be maintained by officers and employees, agents or branch offices.

193 Other prepaid current expenses.

This account shall include the amount of prepaid current expenses, such as interest, taxes, rentals, advertising, charter hire, and similar expense not otherwise specifically provided for, but only to the extent that such prepayments apply to the period within one year from the date of the balance sheet and are properly chargeable within that period to appropriate 700, 800, or 900 series of accounts. Minor items may be charged directly to the appropriate expense accounts.

198 Deferred income tax charges.

(a) This account shall include the portion of deferred income tax charges and credits relating to current assets and liabilities, when the balance is a net debit.

(b) A net credit balance shall be included in account 480, "Deferred income tax credits".

199 All other current assets.

This account shall include the amount of assets of a current nature not includible in any of the foregoing current asset accounts. Subsidiary accounts shall be maintained so as to show separately each class of other current assets.

200 Deferred expenses—unterminated voyages.

When the accounts are maintained on a terminated voyage basis, the expense of voyages in progress at the end of an accounting period shall be transferred to this account from the related voyage expense accounts. Detail coding shall be maintained by individual vessel and related voyage.

300 Special funds and deposits.

This account shall be divided into the following subaccounts: 301–310, and 312.

301 Capital reserve fund.

This account shall be subdivided as follows:

(a) *301–1 Cash and securities—nontrust.* This account shall be charged with cash and the value of securities approved for deposit in this fund, and shall be credited with withdrawals therefrom in accordance with the provisions of section 607(b) of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91–4691 (34 Stat. 1018) and under such rules and regulations as the Maritime Administration may issue from time to time. Subsidiary accounts are to be subdivided as to depositories or trustees, as the case may be, and further subdivided to show the amount of (1) cash and (2) marketable securities, and (3) Current balances of mortgages from the sale of vessels.

(b) *301–2 Discounts and premiums, nontrust.* This account may be charged with accumulation of any discount and may be credited with amortization of any premium on securities, at the time of accrual or collection of interest thereon, with contra entry in account 675, "Interest income," if it is the practice of the carrier to adjust that account to a yield basis. When such securities are disposed of, any balance applicable thereto in this account shall be transferred to account 301–1.

(c) *301–3 Common stock trust.* This account shall be charged with the amount of the non-trust portion of the capital reserve fund transferred to the capital reserve fund-common stock trust, the acquisition cost of common stock in which the trust is invested, the income, capital gains, and other principal, and shall be credited with withdrawals therefrom and capital losses in accordance with the provisions of section 607(d) of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91–469 (84 Stat. 1018) and under such rules and regulations as the Maritime Administration may issue. Subsidiary accounts of the capital reserve fund-common stock trust are to be maintained to record cash, common stocks, and other principal.

302 Capital construction fund.

This account shall be subdivided as follows:

(a) *302–1 Cash and securities.* This account shall be charged with cash and the value of securities deposited in this fund as determined in accordance with 26 CFR § 3.2(g) and shall be credited with withdrawals therefrom in accordance with the provisions of section 607 of the Merchant Marine Act, 1936, as amended, and under such rules and regulations as the Maritime Administration may issue either independently or together with the Internal Revenue Service. Subsidiary accounts are to be subdivided as to depositories or trustees, as the case may be, and further subdivided to show the amount of (1) cash, (2) marketable securities and (3) current balances of mortgages from the sale of vessels, and further subdivided in accordance with sub-paragraph 607 (e)(1) of the Act—namely, (A) capital account, (B) capital gain account, (C) ordinary income account.

(b) *302–2 Discounts and premiums.* This account may be charged with accumulation of any discount and may be credited with amortization of any premium on securities, at the time of accrual or collection of interest thereon, with contra entry in account 675, "Interest income," if it is the practice of the carrier of the adjust that account to a yield basis. When such securities are disposed of, any balance applicable thereto in this account shall be transferred to account 302–1.

303 Construction reserve fund.

(a) This account shall be charged with cash and the cost of approved securities deposited in such fund, and shall be credited with withdrawals therefrom in accordance with the provisions of section 511 of the Merchant Marine Act, 1936, as amended, and section 112(b) of the Internal Revenue Code, and other Internal Revenue Acts. It shall also include accretions on investments in such fund when retained therein.

(b) Subsidiary accounts are to be maintained as described in account 301.

304 Interest accruals for deposit in statutory funds.

This account shall include the periodic (not less frequent than annual) accruals of interest on cash and securities on deposit in account 301 "Capital reserve fund", account 302, "Capital construction fund" and account 303, "Construction reserve fund" with corresponding credit to account 675, "Interest income."

305 Insurance funds.

(a) This account shall include cash, marketable securities, and other quick assets placed on deposit or in the hands of trustees to guarantee the satisfaction of obligations for losses in instances where the carrier is a self-insurer in whole or in part.

(b) Subsidiary accounts shall be maintained by depositories or trustees, as the case may be, and further subdivided as to (1) cash, (2) marketable securities and (3) other quick assets.

306 Debt retirement funds.

(a) This account shall include cash, marketable securities, and other quick assets placed on deposit or in the hands of trustees as a sinking fund to meet obligations maturing in the future, or to carry out such operations as the retirement of preferred stock or the purchase of serial bonds.

(b) Subsidiary accounts shall be maintained by depositories or trustees, further subdivided to show cash or marketable securities, other quick assets and purposes of the fund.

307 Escrow funds.

This account shall be charged with the amounts required to be deposited in the Escrow fund and credited with disbursements therefrom, in connection with the insurance or guarantee of obligations financed by sale of U.S. Government insured or guaranteed obligations, pursuant to the provisions of section 1111 of the Merchant Marine Act, 1936, as amended, the provisions of contracts or agreements entered into and regulations published by the Assistant Secretary of Commerce for Maritime Affairs. These funds shall be reported separately and maintained in accordance with such rules and regulations as the Assistant Secretary for Maritime Affairs may issue.

308 Construction funds.

This account shall be charged with the amounts required to be deposited therein, representing the difference between the principal of insured or guaranteed obligations and the principal amount required to be deposited in the escrow fund or such other amounts required by contracts or agreements, and shall be credited with authorized disbursements therefrom. These funds shall be reported separately and maintained in accordance with such rules and regulations as the Assistant Secretary of Commerce for Maritime Affairs may issue.

309 Other special funds.

(a) This account shall include cash, marketable securities, and other quick assets appropriated for replacement of unsubsidized vessels (except instances where account 303 "Construction reserve fund" is applicable), to fund reserves for pensions and any other special funds for which no specific account is provided.

(b) Subsidiary accounts shall be maintained for each class of fund by depositories or trustees, and further subdivided to show (1) cash, (2) marketable securities and (3) other quick assets.

310 Restricted funds.

This account shall be established at the time of the first deposit required therein, and shall be charged with deposits pursuant to the provisions of contracts or agreements. This account shall be credited with authorized withdrawals therefrom. These funds shall be reported separately and maintained in accordance with such rules and regulations as the Assistant Secretary of Commerce for Maritime Affairs may issue.

312 Special and guaranty deposits.

(a) This account shall include cash and marketable securities deposited to guarantee the performance of conference and similar agreements; also deposits in lieu of mortgaged property sold, and other trust deposits, to be held until equivalent property is acquired or pending other disposition. This account shall also include deposits on oil drums, ammonia cylinders and similar equipment.

(b) Subsidary accounts shall be maintained by depositories.

315 Investments.

This account shall be divided into the following subaccounts: 316, 319, 320, 325, 328, and 329.

316 Securities of related companies.

(a) This account shall include the investment in securities issued or assumed by related companies other than securities held in special deposits or special funds. All such investments shall be accounted for in accordance with the provisions of instruction M.

(b) This account shall be maintained in such a manner as to show each of the following investment elements in each affiliated company (including corporate joint ventures).

(1) Common stock at cost and (if applicable) to show:

(i) Equity in net assets at the date of acquisition.

(ii) Unamortized balance of the original goodwill amount.

(iii) Equity in undistributed earnings since acquisition.

(iv) Dividends received from the date of acquisition.

(2) Preferred stocks.

(3) Bonds.

(4) Other.

319 Noncurrent notes receivable—affiliated companies.

(a) This account shall include the amounts of all obligations in the form of notes receivable from affiliated companies which are not subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and show all essential details.

320 Noncurrent accounts receivable—affiliated companies.

(a) This account shall include receivables from affiliated companies for other than services rendered, supplies furnished, and other transactions customarily subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

325 Cash value of life insurance policies.

This account shall include the cash surrender value of life insurance policies, under which the carrier is the beneficiary, less the amount of any loans which have been obtained on such policies and not repaid.

328 Other investments.

This account shall include investment advances to companies and individuals, and miscellaneous investments not provided for elsewhere.

329 Decline in value of investments.

(a) This account shall be credited at the close of each accounting period with amount necessary to reflect the decline in value of securities and other assets held as investments, where there appears to be permanent impairment in their value, by contra charge to account 690, "Miscellaneous Other Income".

(b) When securities are disposed of, the balance in this account applicable to such securities shall be charged hereto.

330 Property and equipment.

(a) This account shall include the cost of acquisition or construction, including additions and betterments, of property and equipment owned by the carrier.

(b) This account shall be divided into the following sub-accounts: 331, 332, 335–338, 341–359.

331 Floating equipment—vessels.

(a) This account shall include the cost of acquisition or construction and related capitalizable costs, including additions and betterments, of vessels and of appurtenances, furniture and fixtures necessary to equip them for service, including inspection, trial runs and tests. This account also includes those costs, if capitalizable for Federal income tax determination directly incurred in placing the vessel into active service, limited to the direct vessel operating expense during the period from delivery of the vessel to arrival at the first loading berth.

(b) Capitalizable costs must be determined in accordance with applicable orders, rules and regulations prescribed or adopted by the Maritime Administration. Subsidiary accounts shall be maintained in such manner as to show by vessels the original cost to the carrier and cost of additions and betterments.

332 Accumulated depreciation—vessels.

(a) This account shall be credited with all depreciation on vessels charged to accounts 742 "Depreciation—vessels" and 842 "Depreciation—idle vessels."

(b) Credit to this account applicable to subsidized vessels shall be computed on an estimated useful life of twenty-five years, except in instances where some other basis is specifically authorized by the Maritime Administration, with such allowances for residual values as approved by that Administration, and in accordance with applicable orders, rules and regulations prescribed or adopted by the Maritime Administration. Subsidiary accounts shall be maintained by individual vessel.

335 Floating equipment—barges.

(a) This account shall include the cost of acquisition or construction and related capitalizable costs, including additions and betterments of barges carried aboard vessels (e.g., LASH, SEABEE or other) and of appurtenances and fixtures necessary to equip them for service, including inspection, trial runs and tests.

(b) Subsidiary accounts shall be maintained by the various types of barges.

336 Accumulated depreciation—barges.

(a) This account shall be credited with all depreciation charged to account 885 "Depreciation—barges."

(b) Subsidiary accounts shall be maintained by the various types of barges.

337 Other floating equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of other floating equipment, such as tugs, barges (other than barges carried aboard vessels which are included in account 335 "Floating equipment—barges"), scows, launches, lighters, floating cranes, etc., and of appurtenances, furniture, and fixtures necessary to equip for service including inspection, trial runs and tests.

(b) Subsidiary accounts shall be maintained in such manner as to show the foregoing information by the various types of other floating equipment.

338 Accumulated depreciation—other floating equipment.

This account shall be credited with all depreciation charged to account 864 "Depreciation—other floating equipment." Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 337, "Other floating equipment."

341 Containers.

(a) This account shall include the cost of construction or acquisition of all types of containers except refrigerated containers used for the shipping of cargo.

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

342 Accumulated depreciation—containers.

(a) This account shall be credited with all depreciation on containers which is charged to account 881 "Depreciation—containers."

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

343 Refrigerated containers.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of all types of refrigerated containers used for the shipping of cargo.

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

344 Accumulated depreciation—refrigerated containers.

(a) This account shall be credited with all depreciation on refrigerated containers which is charged to account 882 "Depreciation—refrigerated containers."

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

345 Container related equipment.

This account shall include the cost of construction or acquisition, including additions and betterments of all types of container related equipment, including container cranes, yard container movement equipment, generator sets and other auxiliary equipment and similar equipment.

346 Accumulated depreciation—container related equipment.

This account shall be credited with all depreciation on container related equipment which is charged to account 886 "Depreciation—container related equipment."

347 Chassis and trailer equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of chassis equipment used in the local drayage and inland movement of cargo and cargo carrying equipment.

(b) Subsidiary accounts shall be maintained by the various types of chassis and trailer equipment within this category.

348 Accumulated depreciation—chassis and trailer equipment.

(a) This account shall be credited with all depreciation on chassis and trailer equipment which is charged to account 883, "Depreciation—chassis and trailer equipment."

(b) Subsidiary accounts shall be maintained by the various types of chassis and trailer equipment.

349 Terminal property and equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of terminal, land, buildings, stevedoring and other cargo handling gear, repair yards, shore cranes, appurtenances, furniture and fixtures, and other terminal gear and equipment.

(b) Subsidiary accounts shall be subdivided between the various types of property and equipment, and shall be maintained in such manner as to show port location, original cost, and cost of additions and betterments.

350 Accumulated depreciation—terminal property and equipment.

(a) This account shall be credited with all depreciation on terminal property and equipment which is charged to account 859 "Depreciation—terminal property and equipment."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 349, "Terminal property and equipment."

351 Other shipping property and equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of land and buildings, appurtenances, furniture and fixtures, transportation equipment other than barges, containers and chassis and trailer and any other property and equipment used exclusively in shipping and auxiliary operations which are not properly chargeable to accounts 331, 335, 337, 341, 343, 345, 347, and 349.

(b) Subsidiary accounts shall be subdivided between the various types of property and equipment and maintained in such manner as to show location, original cost and cost of additions and betterments.

352 Accumulated depreciation—other shipping property and equipment.

(a) This account shall be credited with all depreciation on other shipping property and equipment (as described in account 351) which is charged to account 970, "Depreciation—other shipping property and equipment."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 351, "Other shipping property and equipment."

353 Nonshipping property and equipment.

(a) In instances where companies are engaged in nonshipping enterprises, cost of all property and equipment which can be directly assigned to such nonshipping enterprises shall be included in this account, including cost of additions, betterments, fixtures, furniture, and appurtenances.

(b) Subsidiary accounts shall be subdivided between the various types of nonshipping property and equipment, and maintained in such manner as to show location, original cost, and cost of additions and betterments.

354 Accumulated depreciation—nonshipping property and equipment.

(a) This account shall be credited with all depreciation on non-shipping property and equipment which is charged to account 971 "Depreciation—non-shipping property and equipment."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 353, "Non-shipping property and equipment."

355 Office leaseholds and leasehold improvements.

(a) This account shall include the cost of acquiring long-term leases of office facilities and the cost of alterations thereto and fixtures installed in leased property.

(b) Subsidiary accounts shall be subdivided between the various types of property and equipment and maintained in such manner as to show location, original cost, and cost of additions and betterments.

356 Accumulated amortization—office leaseholds and leasehold improvements.

This account shall be credited with all amoritization on office leaseholds and leasehold improvements which is charged to account 975 "Amortization—office leaseholds and leasehold improvements."

357 Terminal leaseholds and leasehold improvements.

(a) This account shall include the cost of acquiring long-term leases of terminals, the cost of alterations thereto and the cost of fixtures installed in leased terminal property.

(b) Subsidiary accounts shall be maintained by individual terminal.

358 Accumulated amortization—terminal leaseholds and leasehold improve-

(a) This account shall be credited with all amortization on terminal leasehold and leasehold improvements which is charged to account 860 "Amortization—terminal leasehold and leasehold improvements."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 357, "Terminal leasehold and leasehold improvements."

359 Construction work in progress.

(a) This account shall be charged with all payments incident to the costs on vessels or other transportation property in process of construction which are capitalized in accordance with generally accepted accounting procedures.

(b) Subsidiary accounts shall be subdivided as between the various kinds of construction, and maintained in such manner as to show type of construction and location. When the construction is completed, the cost thereof shall be credited to the account and charged to the appropriate property accounts.

360 Other assets.

This account shall be divided into the following sub-accounts: 361–364, 367, 368, 370, and 374.

361 Claims pending.

(a) This account shall include any claims in litigation, and insurance claims in process of compilation or adjustment. After adjudication of claims in litigation, or adjustment of insurance claims, this account shall be credited and a charge made to account 155 "Claims receivable." Deductible average insurance losses (if policies provide deductibles) should at the same time be transferred to account 570 "Estimated allowances for insurance."

(b) Subsidiary accounts shall be subdivided as between hull underwriters, protection and indemnity underwriters, general average claims connecting carriers, and such further classes as may be necessary. Each group of subsidiary accounts shall be maintained by vessels and voyages supported by sufficient detail to permit ready identification and analysis of each claim.

362 Spare parts on which construction-differential subsidy has been paid.

This account shall include the acquisition cost (or other applicable basis) of shore side spare parts and equipment upon which construction-differential subsidy has been paid, such as propellers and tail shafts held for future installation on vessels of the carrier.

363 Spare parts—other.

This account shall include the acquisition cost (or other applicable acquisition basis) of shore side spare parts and equipment for which construction-differential subsidy has not been paid, such as propellers, propeller blades, tail shafts, pumps, rudders, hoisting engines, generators, rotors, anchors, etc. held for future installation on vessels of the carrier, the individual minimum gross book value of which is not less than $1,000.

364 Notes and accounts receivable from officers and employees.

This account shall include all amounts due from officers, directors, and employees other than (a) unpaid subscriptions to capital stock and (b) amounts collectible in the ordinary course of business within one year. Records supporting entries to this account and subsidiary accounts shall be maintained as to show separately such major classes as officers' personal accounts, employees' salary advances, and amounts due for such items as group insurance and retirement annuity deposits. The records referred to in this section shall be retained in accordance with the provisions of § 380.24 of this chapter.

367 Deferred operating-differential subsidy receivable.

This account shall include that part (if any) of accrued operating-differential subsidy receivable, the payment of which is withheld by the Maritime Administration pursuant to Pub. L. 862, 80th Congress, or any subsequent legislation having the same or substantially similar force and effect.

368 Other noncurrent notes and accounts receivable.

(a) This account shall include all non-current receivables from other than officers, employees, or related companies, which, by agreement, are not collectible within one year. It shall include the non-current portion of Operating-Differential Subsidy due from the Maritime Administration.

(b) Subsidiary accounts shall be maintained by individual debtors.

370 Maritime Administration allowance for obsolete vessels.

This account shall include the gross amounts allowed by the Maritime Administration for obsolete vessels traded in, except where the obsolete vessel is retained under a Use Agreement, in which case this account is charged with the net trade-in allowance. Credit this account and charge account 359, "Construction work in progress", with the amount of progress payments on new construction made by the Maritime Administration for the account of the purchaser (operator).

374 Miscellaneous other assets.

This account shall include the estimated value of salvage recoverable from property retired when the recovery of the salvage is deferred for any reason; funds on deposit with closed banks; and all other deferred items not covered by other deferred asset accounts.

375 Deferred charges and prepaid expenses.

This account shall be divided into the following subaccounts: 376, 383, 384, 385 and 389.

376 Prepaid long-term insurance.

This account shall include the cost of insurance premiums prepaid or recorded as a liability in advance of payment, but only to the extent that such premiums apply to a period more than one year following the date of the balance sheet. The proportions of the same premium payments properly chargeable to expenses prior to such period are provided for in account 191, "Prepaid current insurance". This account shall be subdivided to show separately prepayments on the several classes of insurance.

383 Accumulated deferred income tax charges.

This account shall include the amount of deferred taxes (see definition (26)) determined in accordance with instruction and the text of account 563, "Accumulated Deferred Income Tax Credits", when the balance is a net debit.

384 Debt discount and expense.

(a) This account shall include all discount and expense for all classes of funded debt. The debt and expense shall be amortized periodically over the respective lives of the securities by charge to account 976 "Amortization—debt discount and expense."

(b) When an issue of funded debt, or any part thereof, refunded and at the date of refunding there is a balance of unamortized discount and expense relating to such issue, such balance, together with any premium paid in retiring such issue, shall be charged to account 990 "Miscellaneous expense" or to account 995 "Extraordinary items," as may be appropriate, in accordance with the text of these accounts.

385 Organization expenses.

This account shall include the unamortized balance of expenses incurred in the formation and development of the business. The balance of this account shall be amortized by annual charges to account 977 "Amortization—organization expense."

389 Deferred prepayments and other deferred charges.

This account shall include the amount of prepaid expenses such as interest, taxes, rentals, advertising, charter hire, and similar expense not otherwise specifically provided for in accounts 384, and 385, but only to the extent that such prepayments apply to a period more than one year following the date of the balance sheet. The proportions of the prepayments and other deferred charges in this account, properly chargeable to expenses prior to such period are provided for in account 193, "Other prepaid current expenses." Minor items and nominal payments covering such expenses may be charged directly to the appropriate expense accounts, even though they relate to periods in excess of one year.

390 Goodwill and other intangible assets.

This account shall be divided into the following sub-accounts: 391, 398, and 399.

391 Goodwill.

This account shall include only Goodwill actually purchased in taking over assets, trade name, etc., calculated to enhance future profits of the business.

398 Other intangible assets.

This account shall include the purchase price or cost of development of such intangible assets as patents, copyrights, operating rights, etc.

399 Accumulated amortization—other intangible assets.

This account shall be credited with all amortization on other intangible assets which is charged to account 979 "Miscellaneous amortization expense."

(B) LIABILITY ACCOUNTS

ACCOUNT

400 Notes payable.

(a) This account shall include the face value of notes, drafts, and other evidences of indebtedness issued by the carrier (except interest coupons) which are payable on demand or within one year.

(b) This account shall be divided into the following sub-accounts: 401, 410, and 414.

401 Bank loans.

Subsidiary accounts shall be subdivided by lender to show separately (a) amount secured and (b) amount unsecured.

410 Insurance notes.

This account shall include the face amount of notes issued by the company to cover deferred payments of insurance premiums. This account shall be maintained by creditor to show (a) notes secured and (b) notes unsecured.

414 Other short-term notes.

This account shall include notes payable within one year, for which no other account is specifically provided, but excluding notes issued to related companies. This account shall be maintained by creditor to show (a) notes secured and (b) notes unsecured.

415 Notes and accounts payable—affiliates.

(a) This account shall include notes and accounts payable to affiliated companies which are subject to settlement within one year, such as credit balances in open accounts for services rendered, materials furnished, traffic accounts, claims, rents and for interest, dividends, loans, notes, and drafts.

(b) No amount representing dividends payable shall be included in this account unless they have been declared.

(c) Items which are not subject to current settlement shall be included in account 541 "Non-current payables—affiliated companies."

(d) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

420 Accounts payable.

This account shall be divided into the following sub-accounts: 421, 422, 428, 430, 431, 438, 439.

421 Accounts payable—trade.

This account shall include all liabilities currently due to trade creditors for services rendered and supplies furnished in the general conduct of the business.

422 Accounts payable—traffic.

This account shall include exchange orders and other amounts due connecting carriers, freight and passenger brokerage, amounts due for hotel reservations and sightseeing tours, custodian funds payable such as head taxes, freight and passenger manifest stamp taxes, consular fees; advance, prepaid beyond, and transshipping charges, and claims payable, but excluding amounts due related companies.

428 Accounts payable—officers and employees.

This account shall include amounts due to officers, directors, individual stockholders, and employees, which are payable within one year.

430 Accounts payable—Maritime Administration.

This account shall include all current accounts payable to the Maritime Administration, including accrued interest, that arise from transactions with that agency.

431 Pension and welfare funds payable.

This account shall include the liability of the carrier for the amount of assets (whether contributed by the carrier or by the employees) in the hands of the treasurer or of a trustee or manager as the administrator of employees' pension, savings, relief, hospital, or other association funds.

438 Dividends payable.

This account shall include the amount of dividends declared on actually outstanding capital stock, unpaid at the date of the balance sheet except dividend payable to related companies which shall be reflected in account 415 "Notes and accounts payable—affiliates."

439 Accounts payable—miscellaneous.

This account shall include all current accounts payable to other than related companies, including unclaimed wages, taxes withheld or collected from others for the account of taxing agencies, and other items for which no other account is specifically provided.

440 Accrued liabilities.

This account shall be divided into the following sub-accounts: 441–447 and 459.

441 Accrued voyage payrolls.

This account shall include the accruals of voyage wages payable.

442 Accrued payrolls—other.

This account shall include the accruals of all other wages payable.

443 Accrued liability for Federal income taxes.

This account shall include the accruals for federal income taxes payable.

444 Accrued liability for state and local taxes based upon income.

This account shall include the accruals for state and local income taxes payable based upon income.

445 Accrued liability for foreign taxes.

This account shall include the accruals for foreign taxes payable.

446 Accrued liability for payroll taxes.

This account shall include the accruals for the employer's portion of payroll taxes payable and amounts withheld from employees wages.

447 Accrued liability for other taxes.

This account shall include the accruals for all other taxes payable for which no other account has been specifically provided.

459 Other accrued accounts payable.

(a) This account shall inclule periodical accruals of amounts payable other than taxes.

(b) Subsidiary accounts shall be maintained as between (1) interest, (2) rentals and (3) such other items as frequently occur.

479 Other current liabilities.

(a) This account shall include all current liabilities for which no other account has been specifically provided.

(b) Subsidiary accounts shall be maintained to show separately each class of current liability.

480 Deferred income tax credits.

(a) This account shall include the portion of deferred income tax charges and credits relating to current assets and liabilities, when the balance is a net credit.

(b) A net debit balance shall be included in account 198, "Deferred income tax charges".

495 Advance ticket sales and deposits.

This account shall include the credit balance remaining in account 025, "Collections and deposits for passanger transportation", after the balances in the account have been analyzed and those relating to completed transactions have been transferred to the appropriate other accounts designated in the chart.

500 Deferred revenues—unterminated voyages.

When the accounts are maintained on a terminated voyage basis, the revenue of voyages in progress at the end of an accounting period shall be transferred to this account from the related voyage revenue accounts. Detail coding shall be maintained by individual vessel and related voyage.

525 Long-term debt.

This account shall be divided into the following subaccounts: 526, 527, 530, and 534.

526 Mortgage notes—Maritime Administration.

(a) This account shall include all mortgage notes payable to the Maritime Administration.

(b) Subsidiary accounts shall be maintained by vessel.

527 U.S. Government insured or guaranteed merchant marine bonds and notes.

This account shall include all U.S. Government insured or guaranteed merchant marine bonds and notes issued pursuant to the provisions of contracts or agreements. Subsidiary accounts shall be maintained by vessel.

530 Other bonds and debentures.

This account shall include the face amount of bonds and debentures not provided for in other accounts and shall be maintained to show full particulars in respect to each issue outstanding. Reacquired bonds and debentures shall be charged to this account at face amount.

534 Other long-term debt.

This account shall include all long-term obligations, excluding amounts due related companies, for which no other account has been specifically provided, and shall be subdivided to show separately long-term obligations secured by capital assets and unsecured long-term debt.

540 Other long-term liabilities.

This account shall be divided into the following subaccounts: 541, 549, 550, and 554.

541 Noncurrent notes and accounts payable—affiliates.

(a) This account shall include all loans, advances, and other payables to related companies not subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

549 Noncurrent notes and accounts payable—officers and employees.

This account shall include all notes and accounts payable to officers, directors, individual stockholders, and employees, which by arrangement become due later than one year from the balance sheet date.

550 Recapturable profits—Maritime Administration.

If excess profits accrue to the Maritime Administration under the "recapture" provisions of sections 606 and 607 of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91-469 (84 Stat. 1018), such profits shall be credited to this account at the close of each accounting period within a recapture period, adjusted so as to reflect the net amount of such excess profits accrued to the Maritime Administration as at that date.

554 Miscellaneous other long-term liabilities.

This account shall include all long-term liabilities for which no other account has been specifically provided.

555 Deferred credits.

This account shall be divided into the following subaccounts: 556, 563, and 564.

556 Premium on funded debt.

(a) This account shall include premiums for all classes of funded debt which are to be amortized periodically over the respective lives of the securities by credit to account 691, "Release of Premium on long-term debt".

(b) When an issue of funded debt or any part thereof is refunded and at the date of refunding there is a balance of unamortized premium relating thereto, the amount of such balance shall be credited to account 690, "Miscellaneous other income."

563 Accumulated deferred income tax credits.

(a) This account shall be credited (charged) with amounts concurrently charged (credited) to account 986, "Provision for deferred taxes", and account 988, "Provision for deferred taxes—extraordinary items", representing the net tax effect of material timing differences (see definition (25) and (23)) originating and reversing in the current accounting period.

(b) This account shall be credited with the amount of investment tax credit utilized in the current year for income tax purposes but deferred for accounting purposes (see instruction 1).

(c) This account shall be concurrently debited with amounts credited to account 986, "Provision for deferred income taxes", representing amortization of amounts for investment tax credits deferred in prior accounting periods.

(d) This account shall be maintained in such a manner as to show separately: (1) the unamortized balance of deferred income taxes and deferred investment tax credit separately as of the beginning and as of the end of each year entries are made affecting the account balance, and (2) the current years net credit or charges applicable to timing differences and deferred investment tax credits.

NOTE A: The portion of deferred charges and credits relating to current assets and liabilities should likewise be classified as current and included in account 198, "Deferred income tax charges", or account 480, "Deferred income tax credits", as appropriate.

NOTE B: This account shall include a net credit balance only. A net debit balance shall be recorded in account 383, "Accumulated deferred income tax charges".

564 Miscellaneous deferred credits.

This account shall include all deferred income and unadjusted credits for which no other account is specifically provided.

565 Estimated operating allowances.

This account shall be divided into the following subaccounts: 566, 570, and 579.

566 Estimated allowances for repairs.

(a) This account shall be credited and account 740, "Vessel repairs—domestic" charged, when allowances are provided for equalization of domestic repairs to vessels. As actual domestic repair expenses are incurred, they shall be charged to this account. At the end of the accounting year, after all repair expenses incurred and all commitments against terminated voyages have been recorded, any balance in this account, applicable to terminated voyages shall be distributed equitably to such voyages in account 740, "Vessel repairs—domestic".

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

(c) Repair expenses incurred at foreign ports shall be charged directly to account 741, "Vessel repairs—foreign".

570 Estimated allowances for insurance.

(a) Agreed amounts for Marine and P&I Insurance deductibles (if provided in the policies) should be charged to each voyage in the appropriate vessel insurance expense account and the corresponding credits posted to this account. When the amount within the deductibles average chargeable against each voyage is determined, it should be transferred from account 361, "Claims pending", as a charge to this account.

(b) This account may also be used for equalization of other insurance risks assumed by the carrier, as for example, self-carried workmen's compensation, and public liability insurance. At the end of each accounting year, any balance in this account applicable to voyages, terminated during the preceding accounting year, in those instances where the records indicate that all claims have been settled, shall be transferred to the appropriate insurance expense account.

(c) Subsidiary accounts shall be maintained by the various classes of insurance for which provisions are made and shall be arranged by vessel and consecutively by voyage.

579 Estimated operating allowances—miscellaneous.

(a) This account shall include all provisions for the equalization of operating expenses for which no other allowance account is specifically provided.

(b) Subsidiary accounts shall be maintained by the various classes of expense arranged by vessels and consecutively by voyages, or by other accounting units.

580 Owners' equity.

This account shall be divided into the following subaccounts: 581, 585, 587, 590, 591, 593, 598, and 599.

581 Capital stock—issued and outstanding.

(a) This account shall include the par value, or for stock without par value the stated money value of the consideration received, of capital stock or other form of proprietary interest in the carrier which has been issued to purchasers and has not been reacquired and canceled. It shall also include stock issued representing appropriations of surplus for stock dividends. When capital stock is retired, this account shall be charged with the book value at which such stock is recorded herein.

(b) Recordings supporting the entries to this account shall be maintained to show the various classes and series of capital stock.

(c) A separate record shall be kept for each subclass of stock showing the number of shares authorized by the articles of incorporation and amendments, the

number of shares issued, the number of shares reacquired, the number of shares canceled, the number of shares outstanding, and their book value.

585 Capital stock subscribed.

This account shall include the amount of subscriptions to capital stock of the carrier. It shall be credited with the par value, or with the subscription price of stock without par value, exclusive of dividends, if any. Concurrently, account 135 "Subscriptions to capital stock" shall be debited with the agreed price and any discount or premium shall be included in the appropriate account. When properly executed stock certificates are issued, this account shall be debited and account 581 "Capital stock—issued and outstanding" credited.

587 Discount on capital stock.

(a) This account shall include the discount incurred in connection with the sale of capital stock. Records supporting the entries to this account shall be maintained to show the discount and commissions on each class and series of capital stock.

590 Additional paid-in capital.

(a) This account shall include the amount of capital donated or paid-in as additional capital (including premiums and assessments on capital stock) and also gains from reacquired or donated shares of capital stock, from forfeiture of subscriptions and from reduction of the par or recorded value of capital stock.

591 Treasury stock.

(a) This account shall include in subdivisions for each class the reacquisition cost of capital stock which has been actually issued or assumed by the carrier then reacquired, and is neither retired or cancelled, nor properly includible in sinking or other funds.

(b) This account shall be maintained to reflect separately securities pledged and unpledged.

(c) This account shall be shown on the Balance Sheet as a deduction in arriving at Stockholders' Equity.

593 Prior period adjustments to beginning retained earnings account.

This account shall include adjustments, in accordance with the text of instruction K, to the net balance in the retained earnings account at the beginning of the calendar year, upon approval by the Commission.

598 Retained earnings—restricted.

(a) Retained earnings restricted from distribution by agreement with others shall be credited to this account with a corresponding charge to account 599, "Retained earnings—unrestricted".

(b) Subsidiary accounts shall be maintained by classes of restrictions.

599 Retained earnings—unrestricted.

(a) All nominal accounts at the end of the accounting year shall be closed to this account.

(b) Any part of retained earnings restricted from payment as dividends shall be charged to this account, including excess profits accruing to the Maritime Administration under the "recapture" clauses in sections 606 and 607 of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91-469 (84 Stat. 1018), which shall be credited to account 550, "Recapturable profits—Maritime Administration".

(c) This account shall include other adjustments, net of assigned Federal income taxes, not provided for elsewhere in this system but only after such inclusion has been authorized by the Commission.

Revenue Accounts

(A) Ordinary Items

ACCOUNT

600 Vessel revenue.

(a) This account shall be credited with all revenue from vessel operations. Revnue items applicable to voyages in progress at the end of each accounting period shall be transferred to account 500, "Deferred revenues—unterminated voyages". Revenue items arising in connection with voyages terminated in prior years shall be accounted for as ordinary delayed items.

(b) Subsidiary accounts shall be maintained by vessels and consecutively by voyages, according to the classification of revenues, as shown in the chart of accounts. Subsidiary accounts shall be subdivided according to:

(1) Cargo carriage technology type.

(2) Refrigerated and nonrefrigerated cargoes.

(3) Military procurement from competitive bid systems.

(4) Military other.

(5) Outward, intermediate and inward voyage legs.

(c) For purposes of postings in subsidiary accounts, coastwise and intercoastal service shall be deemed to be all commerce conducted by vessels between points in the United States, including Districts, Territories and possessions thereof embraced within the coastwise laws, and foreign commerce shall be deemed to be all commerce conducted by vessels over the seas other than coastwise and intercoastal commerce. Operators receiving operating-differential subsidy shall expand the subdivision in their subsidiary accounts to show, separately, revenue earned on coastwise and intercoastal legs of voyages as described in section 605(a) of Title VI of the Merchant Marine Act, 1936, as amended, as well as commerce between points in the United States including Districts, Territories, and possessions thereof and Puerto Rico embraced within the coastwise laws.

(d) The same subsidiary ledger forms may be used for both account 500 and account 600, and the sheets may be physically transferred or the totals by classification transferred to new sheets, as the carrier elects.

(e) This account shall be divided into the following sub-accounts: 601, 605, 608, 612, 620, and 624.

601 Freight—foreign.

(a) This account shall include all revenue accruing from the transportation of freight based upon tariff rates or in the absence of tariff provisions on basis of contracts.

(b) It will also include the surcharge on freight revenue.

(c) It shall be charged with refunds due to errors in classification or computation of rates and charges; refunds due to errors in routing or shipping freight to the extent not reimbursed by insurance refunds and uncollectible charges on lost, damaged or destroyed freight shipments; and with refunds of overcharges assumed by the carrier under the voucher minimum.

605 Freight—coastwise and intercoastal.

(a) This account shall include all revenue accruing from the transportation of freight based upon tariff rates or in the absence of tariff provisions on the basis of contracts.

(b) It will also include the surcharge on freight revenue.

(c) It shall be charged with refunds due to errors in classification or computation of rates and charges; refunds due to errors in routing or shipping freight; refunds and uncollectible charges on lost, damaged or destroyed freight shipments to the extent not reimbursed by insurance and with refunds of overcharges assumed by the carrier under the voucher minimum.

608 Passenger—foreign.

(a) This account shall include all revenue accruing from the transportation of passengers based upon tariff rates. It shall include the revenue from transportation of passengers, the rental of staterooms, berths, or living accommodations and the furnishing of meals.

(b) The credits to this account shall be subdivided as follows among (1) revenue from passenger fares, (2) revenue from staterooms, (3) revenue from meals, and (4) revenue that cannot be separated among items (1), (2), and (3) of this paragraph.

612 Passenger coastwise and intercoastal.

(a) This account shall include all revenue accuring from the transportation of passengers based upon tariff rates. It shall include the revenue from transportation of passengers, the rental of staterooms, berths, or living accommodations, and the furnishing of meals.

(b) The credits to this account shall be subdivided as follows among (1) revenue from passenger fares, (2) revenue from staterooms, (3) revenue from meals, and (4) revenue that cannot be separated among items (1), (2), and (3) of this paragraph.

620 Charter revenue.

This account shall include revenue from the charter of vessels to others

when the amount receivable for charter is not directly related to and dependent upon the commodities and volume transported, such as bareboat and time charters. Compensation is usually based upon daily or monthly hire of the vessel.

624 Other voyage revenue.

This account shall include all revenue accruing from other services by and activities aboard vessels, not otherwise provided for, such as :

Advances, prepaid beyond and manifest transactions, net credit.
Assisting vessels in distress or salvage.
Barber shop and other services to passengers aboard vessels.
Concessions aboard vessels granted to others.
Demurrage and dispatch.
Excess baggage.
Parcel rooms aboard vessels.
Radio service aboard vessels.
Refrigeration aboard vessels.
Rent from steamer chairs and other equipment to passengers.
Sale of periodicals and newsstand supplies to passengers.
Sale of buffet and bar supplies to passengers, net credit.
Sale of slop chest supplies to crew, net credit.
Refreshment, weighing and all other vending machines aboard vessels.

(B) SUBSIDIES

ACCOUNT

625 Operating-differential subsidy.

(a) This account shall be credited with sums accruing to the carrier under the subsidy provisions of the operating-differential subsidy agreement.

(b) Subsidiary accounts shall be maintained by vessels and consecutively by voyages.

(C) OTHER SHIPPING REVENUES

ACCOUNT

640 Collections from pools.

This account shall be credited with collections for each accounting period in accordance with pooling agreements by transfer from account 055, "Pool participation."

645 Revenue from terminal operations.

(a) This account shall include all revenue derived from the rental, lease, or use by others of the carrier's terminal facilities, including dockage, side wharfage, top wharfage, storage, doorways, lights, water, protective service, refrigeration, precooling, and similar service.

(b) Subsidiary accounts shall be maintained to show separately for each terminal the different kinds of revenues earned.

650 Revenue from cargo handling operations.

(a) This account shall include all revenue derived from the performance by the carrier for others of stevedoring and other cargo handling services, such as checking, tallying, receiving, delivering, coopering, loading, and discharging cargo; also use of gear, equipment, etc.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

655 Revenue from tug and lighter operations.

(a) This account shall include all revenue derived from services performed for others by the carrier's tugs, lighters, barges, scows, launches, floating cranes, and other equipment, including rental and charter hire for use of such equipment.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

660 Revenue from container related operations.

(a) This account shall include all revenue derived from container related operations such as income from inland haulage of military containers, container detention charges and container interline billings.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

665 Revenue from other shipping operations.

(a) This account shall be credited with gross revenue derived from the performance of repairs, and any other services or operations for others which are incidental to the shipping business and for which no other account is specifically provided.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

670 Agency fees, commissions, and brokerage earned.

(a) This account shall include revenues received from others covering gross agency fees, commissions, and brokerage, less amounts paid to sub-agents therefrom.

(b) Subsidiary accounts shall be maintained by offices, and postings shall show sources of earnings and classification thereof such as agency fees, management and operating commissions, freight brokerage, passenger brokerage, and names of sub-agents in instances where such payments are charged to this account.

(D) OTHER REVENUE ACCOUNTS

ACCOUNT

675 Interest income.

(a) This account shall be credited with all interest accrued. This account shall be charged with amortization of any premium and shall be credited with accumulation of any discount on securities at the time of accrual or collection of interest thereon.

(b) Interest shall not be credited before actual collection unless its payment is reasonably assured by past experience, guaranty, anticipated provisions, or otherwise.

(c) This account shall not include interest on securities issued or assumed and owned by the carrier.

(d) This account shall be divided into sub-accounts representing sources of significant interest income. Interest from affiliated companies must be identified.

685 Dividend income.

(a) This account shall include dividends declared on stocks of companies except for affiliated companies accounted for under the equity method of accounting (see instruction m), the income from which is the property of the accounting company, whether such stocks are owned by the accounting company and held in its treasury, or deposited in trust, or are controlled through a lease or otherwise.

(b) This account shall be divided into sub-accounts representing sources of significant dividend income.

690 Miscellaneous other income.

(a) This account shall include all income not provided for elsewhere, such as:

Gain from conversion of foreign currencies (Transferred from account 050, "Foreign exchange account")
Fees collected in connection with exchange of coupon bonds for registered bonds
Gain from sale of securities
Gain from sale of shipping and nonshipping property
Gain from company bonds reacquired

This account shall be charged with amounts reflecting a writedown of ledger value of securities and other investments due to a permanent impairment in their value.

691 Release of premium on long-term debt.

This account shall include for each fiscal period such proportion of the premium on funded debt as is transferred from account 556, "Premium on funded debt".

692 Unusual or infrequent items (credit).

Included in this account shall be material items unusual in nature *or* infrequent in occurrence, but not both, accounted for in the current year in accordance with the text of instruction K, upon approval by the Commission.

695 Revenue from nonshipping operations.

(a) This account shall include the gross income derived from ventures other than shipping and shipping auxiliary operations.

(b) Separate accounts shall be maintained for each enterprise and location.

697 Income from affiliated companies.

This account shall be debited or credited with the following:

(a) The accounting company's share of the current earnings or losses of affiliated companies and corporate joint ventures required to be accounted for under equity accounting (see Instruction M).

(b) The amortization of any difference between the cost of an investment and the equity of the accounting company in the net assets of the investee (see Instruction M(3)(a)).

NOTE: Dividends paid or declared by companies on the stock of companies in which the accounting company holds 20 percent or

more of the voting common stock shall be credited to balance sheet account 316, "Securities on related companies".

Operating Expenses

(A) Direct Vessel Expenses

(a) Accounts 701–749 shall be charged with all direct expenses of operation and maintenance of all vessels, for terminated and unterminated voyages.

(b) Expenses incurred for vessels in idle status shall be included in the 800 series accounts.

(c) Subsidiary accounts shall be maintained by vessels and consecutively by voyages, according to the classification of expense as shown in the chart of accounts.

(d) The same subsidiary ledger forms may be used for both account 200 and the 700 series of accounts, and the sheets may be physically transferred or the totals, by classifications, transferred to new sheets, as the carrier elects.

(e) At the conclusion of the accounting period, all items relating to unterminated voyages shall be transferred to account 200, "Deferred expenses, unterminated voyages".

(f) Expenses shall be charged according to the provisions of instruction (K).

ACCOUNT

701 Crew wages.

This account shall include salaries and wages of masters, officers, pursers, radio operators, relief crews and other members of crews of vessels including:

(a) Regular wages.
(b) Overtime.
(c) Split wages (overlap).
(d) Bonus.
(e) Shifting allowance.
(f) Extra wages.
(g) Travel wages.
(h) Accrued wage adjustments.
(i) Crew transportation.
(j) Non-watch pay.
(k) Board and lodging.

703 Crew fringe benefits.

This account shall include all compensation to crew members other than salaries and wages. Such compensation will include, but is not limited to, vacation pay, sick leave, retirement and pension, group insurance, welfare plans, medical center contributions and joint committee payments.

704 Union payments unrelated to the crew.

This account shall include all payments to unions, such as quid pro quo and compensatory payments, made for agreed upon crew reductions.

708 Payroll taxes.

This account shall include taxes computed on the basis of a payroll such as old age benefits, unemployment compensation and similar social security taxes.

710 Domestic subsistence.

This account shall include the cost (including sales taxes and delivery and inspection charges thereon) of all edibles (but not bar and slop chest supplies and water) purchased in the United States and its Territories and possessions except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam (excluding purchases out of bond) for consumption by passengers, officers, and crews of vessels.

714 Foreign subsistence.

This account shall include the cost (including sales taxes and delivery and inspection charges thereon) of all edibles (except bar and slop chest supplies and water) purchased in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam, or purchased in the United States out of bond, for consumption by passengers, officers and crew of vessels.

715 Domestic consumable stores, supplies and equipment.

This account shall include the cost (and related sales taxes and delivery and inspection charges thereon) of all consumable stores and supplies and expendable equipment (other than edibles, bar and slop chest supplies, fuel, and water) purchased in the United States and its Territories and possessions, except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam (excluding purchases out of bond), for use aboard vessels. The term "expendable equipment" includes all tools, utensils, instruments, small machinery, and paraphernalia of a portable or removabe nature, as distinguished from "permanent equipment" fastened to the vessel or installed as an integral part thereof, and spares required by the classification societies. The cost of such permanent equipment and spares shall be included in account 740 "Vessel Repairs—Domestic," or account 741 "Vessel Repairs—Foreign."

716 Foreign consumable stores, supplies and equipment.

This account shall include the cost (including related sales taxes and delivery and inspection charges thereon) of all consumable stores and supplies and expendable equipment (other than edibles, bar and slop chest supplies, fuel, and water) purchased in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef and the Island of Guam, or purchased in the United States out of bond, for use aboard vessels.

725 Other maintenance expense.

This account shall include such expenses as laundry and pressing services; wages of shoregang labor for cleaning, painting, scraping, or other vessel-upkeep services usually performed by the crew; inspection service charges; and the cost of maintaining expendable equipment, such as adjusting compasses, rating chronometers, retinning utensils, mending linens, upholstering chairs, repairing typewriters, and other such expenses.

730 Insurance—hull and machinery.

This account shall include the cost of hull and machinery insurance, such as premiums, deductibles, and provision for deductible average losses.

732 Insurance—protection and indemnity.

This account shall include the costs of protection and indemnity insurance, such as premiums, personal injury claims, illness claims, cargo claims, provision for deductible average losses and Second Seamen's insurance premiums.

734 Insurance—other marine-risk.

This account shall include the premiums on all classes of marine-risk coverage carried by the carrier which are not properly chargeable to account 730 "Insurance—Hull and Machinery," and account 732 "Insurance—Protection and Indemnity."

735 Vessel fuel.

This account shall include the cost of fuel and of services and facilities incident to delivery, inspection and trimming thereof.

740 Vessel repairs—domestic.

This account shall include the cost of repairs (not recoverable from insurance) directly attributable to replacement by duplication of, or restoration to satisfactory condition of, damaged or worn parts of vessels, machinery, and equipment which are integral parts of vessels, including the purchase of permanent equipment and spares required by the classification societies, in the United States and its Territories and possessions, except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam. The cost of repairing or servicing expendable equipment shall be included in account 725 "Other maintenance expense."

741 Vessel repairs—foreign.

This account shall include the cost of repairs (not recoverable from insurance) directly attributable to replacement by duplication of, or restoration to satisfactory condition of, damaged or worn parts of vessels, machinery and equipment which are integral parts of vessels, including the purchase of permanent equipment and spares required by the classification societies, in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam.

742 Depreciation—vessels.

This account shall include the accrual of depreciation of vessels owned by the carrier with a corresponding credit to account 332, "Accumulated depreciation—vessels."

743 Time and trip charter hire.

This account shall include the charter payments for hiring vessels from non-affiliated companies on a time or trip basis.

744 Time and trip charter hire—affiliates.

This account shall include the charter payments for hiring vessels from affiliated companies on a time or trip basis.

745 Short term bareboat charter hire.

This account shall include the rental or lease payments for hiring vessels from nonaffiliated companies on a bareboat basis for periods of one year or less.

746 Short-term bareboat charter hire—affiliates.

This account shall include the rental or lease payments for hiring vessels from affiliated companies on a bareboat basis for periods of one year or less.

747 Long-term bareboat charter hire.

This account shall include the rental or lease payments for hiring vessels from non-affiliated companies on a bareboat basis for periods of over one year.

748 Long-term bareboat charter hire—affiliates.

This account shall include the rental or lease payments for hiring vessels from affiliated companies on a bareboat basis for periods of over one year.

749 Other vessel expenses.

This account shall include all miscellaneous expenses directly incident to the operation of vessels which are not properly chargeable to other vessel account classifications, such as:

(a) Expenses of masters.
(b) Expenses of pursers.
(c) Radio equipment rental.
(d) Seaworthy certificate.
(e) Vessel communications.
(f) Water.

(B) ALLOCATED VOYAGE EXPENSE

(a) The practice of terminated voyage accounting requires the allocation to a voyage of indirect costs incurred as a result of operating and maintaining containers and barges as well as terminals. The following accounts represent the container and barge expense and the indirect terminal expenses allocated to terminated and unterminated voyages.

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

ACCOUNT

750 Allocated container and barge expense.

(a) This account shall be maintained by those operators engaged in the practice of terminated voyage accounting and shall be charged monthly for all container and barge expenses charged to accounts 867 through 894, except for accounts 881 through 886 which will be included in the Water Line Operating Revenue and Expense Statement, with a corresponding credit to account 899, "Allocated container and barge expense—contra."

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

751 Allocated terminal expense.

(a) This account shall be maintained by those operators engaged in the practice of terminated voyage accounting and shall be charged monthly with all indirect terminal expenses allocated to vessels and related voyages with a corresponding credit to account 866, "Allocated terminal expense—contra" except for accounts 859, 860 and 864 which will be included in the Water Line Operating Revenue and Expense Statement.

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

(C) PORT EXPENSE

(a) Accounts 752—772 shall be charged with all direct expenses related to (1) the movement of cargo to and from ships, and (2) port expenses incurred in the docking and undocking of ships.

(b) Subsidiary accounts shall be maintained by individual port, by vessel and consecutively by voyages and in some cases by cargo technology type.

ACCOUNT

752 Cargo handling—loading/discharging.

(a) This account shall include the cost of removing and handling break bulk, bulk, container, and vehicle cargo from the pier or in pier sheds, or from cars, barges, lighters, scows, or booms alongside, and stowing the same in or on any part of the vessel, and the cost of discharging cargo from any part of the vessel onto the pier or into pier sheds, or into or on cars, lighters, scows, or booms alongside the vessel and piling the same on the pier or in pier sheds, such as:

1. Straight time.
2. Overtime.
3. Extra labor.
4. Fringe benefits.
5. Union contributions.
6. Detentions.
7. Transportation, travel & meals.
8. Lashing/unloading.
9. Crane rental.
10. Clerk/tally.
11. Contractors commodity charges.
12. Outside contractors terminal charges.
13. Dunnage, pallets.
14. Shoring and unshoring.
15. Watchmen.

(b) Detail coding shall be maintained by cargo carriage technology types.

(c) Loading or discharging of cargo to and from LASH on SEABEE barges shall be charged to account 753, "cargo handling—loading/discharging barges."

753 Cargo handling—loading/discharging barges.

This account shall include costs of loading and discharging barges into and from vessels, including:

1. Straight time.
2. Overtime.
3. Extra labor.
4. Fringe benefits.
5. Union contributions.
6. Detentions.
7. Transportation—travel and meals.
8. Clerk/tally.
9. Contractors commodity rates.
10. Tug hire.

754 Cargo handling—container yard.

This account shall include all the costs directly incident to the handling of containers within a yard which are not properly assigned to account 752, "Cargo Handling — Loading/Discharging", as above defined.

755 Cargo handling—container freight station.

This account shall include all costs directly incident to the stuffing and unstuffing of containers. In addition, this account shall include the costs directly incident to receiving, delivery and warehousing of such cargo at the container freight station facility.

756 Cargo handling—lighter freight station.

This account shall include all costs directly incident to the loading and discharging of cargo to and from LASH and SEABEE-type barges including tug hire for positioning at the lighter freight station. In addition, this account shall include costs directly incident to receiving, delivery and warehousing of such cargo at the lighter freight station.

757 Cargo handling—lighter consolidation.

This account shall be charged for all costs incident to storing barges at dockside prior to and after delivery from shipside.

758 Cargo handling—commercial cargo.

This account shall be charged for all miscellaneous cargo costs which are unique to carriage of commercial cargo and which are never applicable to carriage of military cargo. Such costs might include:

Baggage Handling.
Bill of Lading Fees.
Equalizations.
Inspections.
Measuring Cargo Fees.
Railcar Loading and Discharging.

759 Cargo handling—other.

This account shall include all expenses not properly assignable to accounts 752–758 including such costs as surveys, cargo dues, etc. and those costs which cannot be assigned to a cargo technology type.

762 Purchased off-dock container freight station services.

This account shall include the costs of off-dock container freight consolidation services purchased.

763 Port transportation expense—commercial.

This account shall include the costs of transporting containers and LASH and SEABEE type barges being used for commercial cargo within the port area for

vessel convenience and local pick-up and delivery, such as: drayage, tug hire, fees and duties, miscellaneous charges, and other such expenses. Detail coding shall be maintained by cargo carriage technology type.

764 Port transportation expense—military.

This account shall include the costs of transporting containers and LASH and SEABEE type barges being used for military cargo within the port area for vessel convenience and local pick-up and delivery, such as: drayage, tug hire, fees and duties, miscellaneous charges, and other such expenses. Detail coding shall be maintained by cargo carriage technology type. For use of this account see 46 CFR 282.1(d), Maritime Administration Order 22 (revised).

765 Inland transportation expenses—commercial.

This account shall include the cost of transporting containers and LASH and SEABEE type barges being used for commercial cargo out of the port area to inland terminals or locations, overland or upriver, and to other marine terminals, such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding shall be maintained by cargo carriage technology type.

766 Inland transportation expense—military.

This account shall include the cost of transporting containers and LASH and SEABEE type barges being used for military cargo out of the port area to inland terminals or locations, overland or upriver, and to other marine terminals, such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding shall be maintained by cargo carriage technology type. For use of this account see 46 CFR 282.1(d), Maritime Administration Order 22 (revised).

767 Substituted service transportation expense—commercial.

This account shall include the cost of transporting full or partially full containers and LASH and SEABEE type barges being used for commercial cargo from one port area to other port area(s) when such land transportation facilities the avoidance of a vessel call at the latter port(s), such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding shall be maintained by cargo carriage technology type and by the port avoided by use of the substituted service.

768 Substituted service transportation expense—military.

This account shall include the cost of transporting full or partially full containers and LASH and SEABEE type barges being used for military cargo from one port area to other port area(s) when such land transportation facilitates the avoidance of a vessel call at the latter port(s), such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding should be maintained by cargo carriage technology type and by the port avoided by use of the substituted service. For use of this account see 46 CFR 282.1(d), Maritime Administration Order 22 (revised).

770 Wharfage and dockage.

This account shall include the cost of wharfage and dockage. Detail coding shall be maintained by cargo technology type.

771 Other port expenses.

This account shall contain detail coding by cargo technology type and shall include port service charges, dues, taxes, and other such expenses, such as:

(a) Pilotage.
(b) Vessel towage.
(c) Launch hire.
(d) Anchor dues.
(e) Canal tolls other than Panama Canal, Suez Canal and Saint Lawrence Seaway (see Account 773).
(f) Cargo dues.
(g) Entry dues and fees.
(h) Handling lines.
(i) Port dues and taxes.
(j) Dispatch.
(k) Stowage plan.
(l) Demurrage.
(m) Customs.

772 Port costs of passenger operations.

This account shall include all port costs of passenger vessels (vessels which carry more than twelve passengers) that would otherwise be charged to accounts 770, "Wharfage and dockage" and 771, "Other port expenses." Detail coding shall be maintained by cargo technology type.

773 Transit canal tolls.

This account shall include canal tolls for the Panama Canal, Suez Canal and Saint Lawrence Seaway.

(D) IDLE VESSEL EXPENSE

(a) These accounts shall include all expenses incurred during periods of idleness or inactivity between voyages.

(b) Subsidiary accounts shall be maintained by vessel and by related idle period.

ACCOUNT

801 Crew wages.
803 Crew fringe benefits.
804 Union payments unrelated to the crew.
808 Payroll taxes.
810 Subsistence.
815 Consumable stores, supplies and equipment.
825 Other maintenance expense.
830 Insurance—hull and machinery.
832 Insurance—protection and indemnity.
834 Insurance—other marine-risk.
835 Vessel fuel.
840 Vessel repairs.
842 Depreciation—idle vessels.
843 Time and trip charter hire.
844 Time and trip charter hire—affiliates.
845 Short-term bareboat charter hire.
846 Short-term bareboat charter hire—affiliates.
847 Long-term bareboat charter hire.
848 Long-term bareboat charter hire—affiliates.
849 Other vessel expense.

(E) TERMINAL EXPENSE

(a) These accounts shall be charged for all expenses incident to maintaining terminals for handling breakbulk, containers, vehicle cargo and barges. In addition, all costs of tug, other barge operations, and other floating equipment shall be maintained under this category.

(b) Subsidiary accounts shall be maintained by individual terminal.

(c) Charges to accounts 855–858 will be made directly whenever possible. When a terminal provides more than one function, costs will be allocated between the individual functions as prescribed in General Order 12.

855 Terminal operations expense—container yards.

This account shall include all costs and fringe benefits related to a carrier operated container yard. These costs will include:

(a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.
(b) Supplies.
(c) Maintenance and repair of container yard property and office equipment.
(d) Security costs for permanent watchmen used within the container yard proper.
(e) Utilities for container yard buildings and for lighting of the container yard.
(f) Rent and property taxes for the container yard.
(g) Other maintenance labor including unallocated clerks, sweepers, etc.
(h) Other, including insurance, business fees, etc.

856 Terminal operations expense—container freight station/breakbulk.

This account shall include all costs and fringe benefits related to a carrier operated on dock container freight station or breakbulk terminal such as:

(a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.
(b) Supplies.
(c) Maintenance and repair of sheds, terminal property, and office equipment.
(d) Security costs of permanent watchmen used within the CFS and terminal area.
(e) Utilities.
(f) Rent and property taxes for the CFS and breakbulk terminal.
(g) Other maintenance labor including unallocated clerks, sweepers, coopers, baggage masters, etc.

(h) Other, including insurance, business license fees, etc.

857 Terminal operations expense—barges.

This account shall include all costs and fringe benefits related to carrier operated terminal used to service LASH or SEABEE barges. These costs will include:

(a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.

(b) Supplies.

(c) Maintenance and repairs of terminal property, sheds and office equipment.

(d) Security costs for permanent watchmen used within the terminal area.

(e) Utilities for buildings and yard areas.

(f) Rent and property taxes.

(g) Other maintenance labor including unallocated clerks, checkers, sweepers, coopers, etc.

(h) Other, including insurance, business license fees, etc.

858 Terminal operations expense—other.

This account shall include all costs and fringe benefits related to a carrier operated terminal which cannot properly be charged to Account 855, 856 or 857. Costs will include:

(a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.

(b) Supplies.

(c) Maintenance and repair of terminal property and office equipment.

(d) Security costs for permanent watchmen.

(e) Utilities.

(f) Terminal rent and property taxes.

(g) Other maintenance labor including unallocated clerks, checkers, sweepers, coopers, etc.

(h) Other, including insurance, business license fees, etc.

859 Depreciation—terminal property and equipment.

This account shall include the accrual depreciation of terminal buildings, cranes, trucks, furniture and fixtures, cargo handling gear, and equipment, tools and other terminal gear, and equipment with a corresponding credit to account 350, "Accumulated depreciation—terminal property and equipment."

860 Amortization—terminal leaseholds and leasehold improvements.

This account shall include the amortization of the cost of acquiring long-term leases, and the cost of alterations to, and fixtures installed in, leased terminal property, with a corresponding credit to account 357, "Terminal leaseholds and leasehold improvements."

861 Other expense—terminal equipment.

This account shall include costs applicable to owned terminal equipment such as maintenance and repair, licensing, property taxes, insurance, etc.

862 Operating expense of tug and barge operations.

This account shall include the expense incurred in the operation by the carrier of tugs, other barges, scows, launches, floating cranes, and similar floating equipment. Detail coding shall be maintained by port.

863 Maintenance expense of tug and other barge operations.

This account shall include the expense incurred in the maintenance by the carrier of tugs, other barges, scows, launches, floating cranes and similar floating equipment and will be identified to a port.

864 Depreciation—other floating equipment.

This account shall include the accrual of depreciation of tugs, barges, scows, launches, floating cranes, and similar floating equipment with a corresponding credit to account 338, "Accumulated depreciation—other floating equipment."

866 Allocated terminal expense—contra.

This account shall be credited with the allocation of Terminal Expenses to Vessels and related voyages for the following expenses:

855 Terminal operations expense—container yards.
856 Terminal operations expense—CFS/breakbulk.
857 Terminal operations expense—barges.
858 Terminal operations expense—other.
861 Other expense—terminal equipment.
862 Operating expenses of tug and barge operations.
863 Maintenance expense of tug and barge operations.

A corresponding debit shall be made to Account 751—Allocated Terminal Expense.

(F) CONTAINER/BARGE EXPENSE

(a) These accounts shall be charged with all expenses related to the use of containers, chassis and barges which are carried aboard vessels. Such costs do not include the labor for loading and unloading nor the transportation charges for moving containers and barges: instead, such excluded expenses shall be charged to the appropriate port cost center expense accounts:

ACCOUNT

867 Container rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for containers.

868 Container rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for containers.

869 Refrigerated container rental and lease expense.

This account shall include the rental and lease payments to non-affiliated companies for refrigerated containers.

870 Refrigerated container rental and lease expense—affiliates.

This account shall iclude the rental and lease payments to affiliated companies for refrigerated containers.

871 Chassis rental and lease expense.

This account shall include the rental and lease payments to non-affiliated companies for chassis.

872 Chassis rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for chassis.

873 Trailer rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for trailers used in vehicle operations.

874 Trailer rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for trailers used in vehicle operations.

875 Barge rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for barges carried aboard vessels, such as LASH and SEABEE barges.

876 Barge rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for barges carried aboard vessels, such as LASH and SEABEE barges.

877 Container related equipment rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for container related equipment, such as container cranes and yard container movement equipment.

878 Container related equipment rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for container related equipment, such as container cranes and yard container movement equipment.

879 Other cargo handling equipment rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for other cargo handling equipment not included in accounts 867–878.

880 Other cargo handling equipment rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for other cargo handling equipment not included in accounts 867–878.

881 Depreciation—containers.

This account shall include the accrual of depreciation of containers, with a corresponding credit to account 342, "Accumulated depreciation—containers."

882 Depreciation—refrigerated containers.

This account shall include the accrual of depreciation of refrigerated containers, with a corresponding credit to account 344, "Accumulated depreciation—refrigerated containers."

883 Depreciation—chassis and trailer equipment.

This account shall include the accrual of depreciation of chassis and trailer and other transportation equipment, with a corresponding credit to account 348, "Accumulated depreciation—chassis and trailer equipment."

885 Depreciation—barges.

This account shall include the accrual of depreciation of barges carried aboard vessels with a corresponding credit to account 336, "Accumulated Depreciation—Barges."

886 Depreciation—container related equipment.

This account shall include the accrual of depreciation of container related equipment, such as container cranes and yard container movement equipment, with a corresponding credit to account 346, "Accumulated depreciation—container related equipment."

888 Other expense—containers.

This account shall include the costs of containers other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of containers will be charged to the appropriate cargo handling or terminal operations account.

889 Other expense—refrigerated containers.

This account shall include the costs of refrigerated containers other than depreciation and rental and lease payments, such as insurance, taxes, maintenance and repairs. Costs relating to the handling of refrigerated containers will be charged to the appropriate cargo handling or terminal operations account.

890 Other expense—chassis.

This account shall include the costs of chassis, other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of chassis will be charged to the appropriate cargo handling or terminal operations account.

891 Other expense—trailers.

This account shall include the costs of trailers, other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of trailers will be charged to the appropriate cargo handling or terminal operations account.

892 Other expense—barges.

This account shall include the costs of barges carried aboard vessels, other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of barges will be charged to the appropriate cargo handling or terminal operations account.

893 Other expense—other container equipment.

This account shall include the cost of maintaining other container equipment including maintenance and repairs, licensing and property tax.

894 Other expense—other cargo handling equipment.

This account shall include the cost of maintaining all other cargo handling equipment including maintenance and repairs, licensing, property taxes etc. not included in accounts 888–893.

899 Allocated container/barge expense—contra.

This account shall be credited with the allocation of container/barge expense to vessels and related voyages with a corresponding charge to Account 750 "Allocated container and barge expense", the expenses for which are included in the following accounts:

867 Container rental and lease expense.
868 Container rental and lease expense—affiliates.
869 Refrigerated container rental and lease expense.
870 Refrigerated container rental and lease expense—affiliates.
871 Chassis rental and lease expense.
872 Chassis rental and lease expense—affiliates.
873 Trailer rental and lease expense.
874 Trailer rental and lease expense—affiliates.
875 Barge rental and lease expense.
876 Barge rental and lease expense—affiliates.
877 Container related equipment rental and lease expense.
878 Container related equipment rental and lease expense—affiliates.
879 Other cargo handling equipment rental and lease expense.
880 Other cargo handling equipment rental and lease expense—affiliates.
888 Other expense—containers.
889 Other expense—refrigerated containers.
890 Other expense—chassis.
891 Other expense—trailers.
892 Other expense—barges.
893 Other expense—other container equipment.
894 Other expense—other cargo handling equipment.

(G) ADMINISTRATIVE AND GENERAL EXPENSES

(a) These accounts shall include all administartive and general expenses incurred in the operation of the business for which no other specific accounts have been provided.

(b) Additional detail coding shall be maintained by vessel and consecutively by voyage to facilitate terminated voyage accounting, with respect to accounts 950, 951 and 952.

ACCOUNT

901 Compensation of officers and directors.

This account shall include the compensation of officers and directors, including salaries, bonuses, fees and other payments for services.

902 Salaries and wages of employees.

This account shall include the compensation of all employees performing administrative and service functions that benefit overall operations other than compensation of officers and directors.

903 Fringe benefits.

This account shall include the cost of all fringe benefits of administrative and general personnel, such as:

(a) Vacation pay.
(b) Sick leave.
(c) Payroll taxes (employer's portion).
(d) Workmen's compensation.
(e) Group insurance.
(f) Pension and retirement.
(g) Health and welfare.
(h) Profit-sharing.
(i) Other.

905 Legal fees.

This account shall include fees, retainers, and other expenses for professional services of attorneys, including cost of law books, legal forms, testimony, notarial and witness fees, law and court expenses, and lawsuits.

906 Accounting and auditing fees.

This account shall include fees and other expenses for accounting or independent audit services rendered.

907 Other professional fees.

This account shall include fees and other expenses for professional services other than legal, accounting or auditing.

910 Rental expense.

This account shall include the rental costs for use of office buildings, general offices and storage space.

912 Utilities.

This account shall include the cost of utilities, such as:

(a) Heat.
(b) Light.
(c) Power.
(d) Water.
(e) Waste removal.

915 Communication expense.

This account shall include all communication expense, such as the cost of telephone, cables, telegrams, radio, postage, telex and teletype.

920 Office expense.

This account shall include the cost of office supplies, printing, equipment rental and all other general expenses relating to the operation of offices.

923 Data processing equipment rental expense.

This account shall include all rental costs of data processing equipment.

925 Dues and subscriptions.

This account shall include membership dues and fees in associations and subscriptions to periodicals and newspapers.

926 Donations and contributions.

This account shall include the cost of donations and contributions.

929 Entertainment and solicitation.

This account shall include all entertainment expenses and expenses of canvassing and solicitation in connection with the procurement of cargo.

930 Travel expense.

This account shall include all traveling expenses of officers and employees on official business of the company.

931 Insurance expense.

This account shall include premiums on insurance such as burglary, theft, robbery, premiums on fidelity bonds on officers and employees, and other such expenses.

934 Repairs and maintenance.

This account shall include the cost of repairing and maintaining general office buildings and equipment, furniture, and machines.

940 Management fees and commissions—affiliates.

This account shall include all commissions paid or payable to affiliated companies for general and financial management services.

941 Management fees and commissions—other.

This account shall include commissions paid or payable to persons or concerns other than affiliated companies acting as managing agents of the carrier. It does not include the customary agency fees and commissions paid to general and sub-agents at out-ports. Such fees should be charged to account 952, "Agency fees and commissions."

945 Advertising—passenger.

This account shall be charged with the cost of all passenger advertising.

946 Advertising—other.

This account shall be charged with all other advertising costs of the carrier.

950 Freight brokerage.

This account shall include commissions paid to brokers for procuring cargo.

951 Passenger brokerage.

This account shall include commissions paid to brokers and booking agencies for procuring passenger business.

952 Agency fees and commissions.

This account shall include agency fees, attendance fees, and commissions for services performed by agents at outports. This account shall not include reimbursements to agents for those expenses incurred in the administration and supervision of port activities. Such expense shall be charged to the appropriate port expense account.

955 Contributions to pools.

This account shall be charged with contributions and other related expenses incurred with participation in pooling agreements, by transfer from account 055, "Pool participation."

960 Interest expense.

This account shall include all interest expense, other than amounts to affiliates which shall be charged to account 961, "Interest expense—affiliates", paid or payable. It shall not include interest on obligations issued and assumed and owned by the carrier.

961 Interest expense—affiliates.

This account shall include all interest paid or payable to affiliated companies.

965 Doubtful notes and accounts receivable.

This account shall be charged with provisions for reserves against all notes and accounts receivable considered doubtful of collection.

970 Depreciation—other shipping property and equipment.

This account shall include the accrual of depreciation of property and equipment incident to shipping and its auxiliary operations for which no other account has been specifically provided, with a corresponding credit to account 352, "Accumulated depreciation—other shipping property and equipment."

971 Depreciation—non-shipping property and equipment.

This account shall include the accrual of depreciation of property and equipment used in ventures other than shipping and shipping auxiliary operations, with a corresponding credit to account 354, "Accumulated depreciation—non-shipping property and equipment."

975 Amortization—office leaseholds and leasehold improvements.

This account shall include the amortization of the cost of acquiring long-term leases, and the cost of alterations to, and fixtures installed in, leased office property, with a corresponding credit to account 355, "Office leaseholds and leasehold improvements."

976 Amortization—debt discount and expense.

This account shall include for each fiscal period such proportion of debt discount and expense on funded debt as is transferred from account 384, "Debt discount and expense."

977 Amortization—organization expense.

Amortization of expenses incurred in the formation or development of the business shall be charged to this account as transferred from account 385, "Organization expense."

979 Miscellaneous amortization expense.

Amortization of any deferred charges for which no other account is specifically provided shall be included in this account.

980 Expense of non-shipping operations.

This account shall include the gross expense other than depreciation incurred in ventures other than shipping and shipping auxiliary operations.

983 Income or loss from operations of discontinued segments.

This account shall include the results of operations of a segment of a business (see definition 34), after giving effect to Federal income tax consequences, that has been or will be discontinued in accordance with the text of instruction K, upon approval by the Commission.

984 Gain or loss on disposal of discontinued segments.

This account shall include the gain or loss from the disposal of a segment of a business, after giving effect to Federal income tax consequences, in accordance with the text of instruction K, upon approval by the Commission.

985 Income taxes accrued on ordinary income.

(a) This account shall be debited with the monthly accruals for all income taxes which are estimated to be payable and which are applicable to ordinary income (see instruction L). See text of account 599, "Retained earnings; unrestricted", and 987, "Income taxes on extraordinary items", for recording other income tax consequences.

(b) Details pertaining to the tax consequences of other unusual and significant items and also cases where the tax consequences are disproportionate to the related amounts included in the income accounts, shall be submitted to the Commission for consideration and decision as to proper accounting.

986 Provision for deferred income taxes.

(a) This account shall include the net tax effect of all material timing differences (see definitions (25) and (23)) originating and reversing in the current accounting period and the future tax benefits of loss carryforwards recognized in accordance with instruction L(3).

(b) This account shall include credits for the amortization of the investment tax credit if the carrier elected to use the deferred method of accounting for the investment tax credit. (See instruction L(4)).

987 Income taxes on extraordinary items.

This account shall include the estimated income tax consequences (debit or credit) assignable to the aggregate of items of both taxable income and deductions from taxable income which for accounting purposes are classified as unusual and extraordinary, and are recorded in account 995, "Extraordinary items". The tax effect of any timing differences caused by recognizing an item in the accounts provided for extraordinary items in different periods in determining accounting income and taxable income shall be included in account 998, "Provision for deferred taxes—extraordinary items".

988 Provision for deferred taxes—extraordinary items.

This account shall include debits or credits for the current accounting period

for income taxes deferred currently, or for amortization of income taxes deferred in prior accounting periods applicable to items of revenue or expense included in accounts 995, "Extraordinary items". (See instruction L).

989 Other taxes.

(a) This account shall include all taxes other than income taxes, sales taxes, and taxes computed on basis of payrolls such as old age benefits, unemployment compensation, and similar social security taxes.

(b) Sales taxes and taxes assessed against carriers for electrical energy, telegraph, telephone, radio, cables, checks, rental and safe deposit boxes, motor vehicle licenses, and other such expenses, shall be included in the respective accounts to which the cost of the material or services is charged. Social security taxes are to be included in the respective accounts to which other fringe benefits are charged.

(c) This account shall also be charged with the costs of business licenses.

990 Miscellaneous expense.

This account shall include all expenses of a general character for which no other account is provided including expenses from conversion of foreign currencies.

991 Unusual or infrequent items (debit).

Included in this account shall be material items unusual in nature or infrequent in occurrence, but not both, accounted for in the current year in accordance with the text of instruction K, upon approval by the Commission.

995 Extraordinary items.

(a) This account shall include extraordinary items accounted for during the current accounting year in accordance with the text of instruction K, upon submission of a letter from the carrier's independent accountants, approving or otherwise commenting on the item and upon approval by the Commission.

(b) This account shall be maintained in a manner sufficient to identify the nature and gross amount of each debit and credit.

(c) Federal income tax consequences of charges and credits to this account shall be recorded in account 987—"Income taxes on extraordinary items".

996 Cumulative effect of changes in accounting principles.

This account shall include the cumulative effect of changing to a new accounting principle, after giving effect to income tax consequences, in accordance with instruction (K), upon approval by the Commission.

APPENDIX

CLEARANCE ACCOUNTS

(a) This group of accounts is designed to accommodate transactions which cannot be allocated directly to balance sheet or income and expense accounts until such transactions have been completely accounted for. In the preparation of periodical financial and operating statements, it is essential that these clearance accounts be analyzed and the balances reflected therein be distributed to appropriate account classifications on such statements.

(b) The balances in this group of accounts applicable to terminated voyages, or other accounting units of a closed fiscal year, must not be carried forward to the succeeding fiscal year.

ACCOUNT

SEC. .001 *Masters and pursers.* (a) This account shall be charged with amounts advanced to or collected by masters and pursers. The account shall be credited with the net amount of vessels' payrolls, with cash advances to members of the crew, with allowable expenses incurred, with endorsed travelers checks, and unexpended cash balances returned.

(b) Subsidiary accounts shall be maintained for each master and purser and a separate account maintained for each voyage or other accounting unit.

SEC. .005 *Allotments on wages of crews.* This account shall be charged with payments made to allottees of crews and shall be credited with deductions made therefor on vessels' payrolls.

SEC. .010 *Agents and branch houses.* (a) This account shall serve as a clearance account for all current transactions with foreign and domestic agents, and branch houses of the carrier. The account shall be charged with cash advances to agents and branch houses, and with freight and other voyage revenue collectible by the agent or branch house in instances where arrangements are made with them to disburse vessels therefrom. Freight and other voyage revenues collectible by agents who are required to remit in full shall be recorded in account 150, "Accounts receivable." This account shall be credited with remittances by the agents or branch houses, and with approved disbursements made for the account of the carrier.

(b) Subsidiary accounts shall be maintained by names of agents or branch houses.

SEC. .012 *Sub-agency operations.* (a) This account shall serve as a clearance account for all current transactions with other principals for whom the carrier acts as agent.

(b) The balances in this account shall be reflected in account 165, "Accounts receivable—miscellaneous," and account 421, "Accounts payable" for balance sheet purposes.

SEC. .015 *Related companies; accounts current.* (a) This account shall be charged with receivables and credited with payables which are customarily subject to current settlement. Under no circumstances shall loans, advances, or other transactions, the settlement of which is deferred beyond one year, be recorded in this account.

(b) The balance in this account shall be reflected in account 153, "Accounts receivable—affiliates" or account 415, "Notes and accounts payable—affiliates," for balance-sheet purposes.

(c) Subsidiary accounts shall be arranged by company, and a description of each transaction shall be reflected in the accounts.

SEC. .025 *Collections and deposits for passenger transportation.* (a) Gross passenger ticket sales and deposits including those for future reservations, hotel accommodations, shore excursions, passenger taxes, etc., shall be credited to this account.

(b) As transportation is furnished to passengers by vessels of the carrier, this account shall be charged and account 600, "Vessel revenue," credited. Deposits or collections for other purposes, including commissions earned or payable incident thereto, shall be cleared from this account as soon as practicable to appropriate accounts designated in the Chart. The credit balances remaining in this account shall be reflected in account 495, "Advance ticket sales and deposits," for balance sheet purposes.

(c) Subsidiary accounts shall be maintained in sections corresponding to the classifications shown on the daily ticket sales report, examples of which are: Prepaid orders, one-way tickets, round-trip tickets, exchange orders, railroad fares, hotel reservations, sightseeing tours, head tax, U.S. Government stamp tax, foreign government passenger taxes, commissions due agents and brokers, and commissions earned.

SEC. .030 *Collections and unrecorded freight manifests.* (a) This account shall be credited with all collections of freight revenue from shippers or consignees prior to the recording of the revenue manifests. When the manifest is recorded, the balance in this account applicable thereto shall be cleared with a corresponding credit to account 600, "Vessel revenue."

(b) Subsidiary accounts shall be maintained by vessels and consecutively by voyages or other accounting units.

SEC. .035 *Advance and prepaid beyond charges, and miscellaneous manifested items.* (a) When vessels manifests are journalized, this account shall be credited with advance charges, prepaid beyond charges, and miscellaneous manifested items, such as: Consular fees, cargo insurance, handling, transshipment, and transfer charges. The account shall be charged with expenses incurred in the performance of the services for which these collections were made. As transactions applicable to terminated voyages are completely accounted for net debit balances in this account shall be transferred to the appropriate 700 account and net credit balances to account 600, "Vessel revenue."

(b) Subsidiary accounts should be subdivided as between advance charges, prepaid beyond charges, and miscellaneous manifested items. Each group of account should be maintained by vessels and consecutively by voyages.

SEC. .040 *Bar accounts.* (a) This account shall be charged with inventories of bar supplies aboard vessels at the beginning of each voyage for sale to passengers, and with all purchases of such supplies during the voyage. The account shall be credited with the inventory of bar supplies on hand at the end of each vayage, and with gross sales during the voyage. As transactions applicable to terminated voyages are completely accounted for, net debit balances in this account shall be transferred to the appropriate 700 accounts and net credit balances to account 600, "Vessel revenue." The balance remaining in this account after profits and losses, on sales applicable to voyages terminated during the accounting period, have been cleared to the vessel operating accounts shall be reported on the balance sheet under the classification "Inventories."

(b) The subsidiary accounts shall be maintained by vessels and consecutively by voyages.

SEC. .045 *Slop chest account.* (a) This account shall be charged with inventories of slop chest supplies aboard vessels at the beginning of each voyage for sale to members of the crew, and with all purchases of such supplies during the voyage. The account shall be credited with the inventory of slop chest supplies on hand at the end of each voyage, and with all gross sales during the voyage. As transactions applicable to terminated voyages are completely accounted for, net debit balances in this account shall be transferred to the appropriate 700 account and net credit balances to account 600, "Vessel revenue." The balance remaining in this account after profits and losses, on sales applicable to voyages terminated during the accounting period, have been cleared to the vessel operating accounts, shall be reported on the balance sheet under the classification "Inventories."

(b) The subsidiary accounts shall be maintained alphabetically by vessels and consecutively by voyages.

SEC. .050 *Foreign exchange account.* All gains or losses in foreign exchange shall be recorded in this account. At the close of each accounting period the balance in the account shall be transferred to account 690, "Miscellaneous—other income," or account 990, "Miscellaneous expense," as the case may be.

SEC. .055 *Pool participation.* (a) This account shall be charged with contributions to pools for the purpose of equalizing revenues in accordance with pooling agreements and shall be credited with gross collections received from pools for the same purpose.

(b) Charges against the carrier in administering the pooling agreements shall be recorded in account 925, "Dues and subscriptions." The balances in this account at the close of each accounting period, as prescribed in pooling agreements, shall be transferred to account 640, "Collections from pools," and account 955, "Contributions to pools."

(c) This account shall be maintained to show separately transactions under each pooling agreement and accounting period.

SEC. .060 *Stores, supplies, and equipment aboard vessels.* (a) Where inventories of vessels stores, supplies, and/or equipment are not taken and priced at the end of each voyage, the value of such inventories shall be charged to this account at the beginning of each contract period. The account should also be credited with the value of inventories of stores, supplies, and/or equipment at the end of each accounting period, after which any balance therein shall be charged or credited, as the case may be, to the last voyage of each vessel involved terminated during the accounting period.

(b) The accounts will not be used in instances where inventories of stores, supplies, and/or equipment are taken and priced at the end of each voyage.

(c) The balance in the account at the end of each accounting period, applicable to the subsequent account period, will be reflected in balance sheet account 200, "Deferred expense—unterminated voyages."

SEC. .095 *Profit and loss account.* At the end of the accounting year this account shall be credited or charged, as the case may be, with the balances in all ordinary, and extraordinary revenue and expense accounts, except where otherwise specifically indicated. After all entries have been made, the account shall reflect the net income for the accounting year. The net balance in this account after adjustments have been made for the accounting year shall be transferred to account 599, "Retained earnings—unrestricted."

FINANCIAL STATEMENTS

(A) BALANCE SHEET

Account No.	Assets
	Current assets:
100	Cash.
115	Special cash deposits.
120, 129	Marketable securities.
130	Notes receivable.
140	Notes receivable—affiliates.
150	Accounts receivable.
169	Less: Estimated allowance for doubtful notes and accounts receivable.
170	Inventories—shoreside.
190	Other current assets.
198	Deferred income tax charges.
	Total current assets.
	Voyages in progress (when a net debit balance).
200	Deferred expenses—unterminated voyages.
500	Less: Deferred revenues—unterminated voyages.
	Special funds and deposits:
301	Capital reserve fund.
302	Capital construction fund.
303	Construction reserve fund.
304	Interest accounts for deposit in statutory funds.
305	Insurance funds.
306-310, 312	Other special funds and deposits.
	Total special funds and deposits.
	Investments:
316	Securities of related companies.
319	Noncurrent notes receivable—affiliated companies.
320	Noncurrent accounts receivables—affiliated companies.
325	Cash value of life insurance.
328	Other investments.
	Total investments.
	Property and equipment:
331	Floating equipment—vessels.
332	Less: Accumulated depreciation—vessels.
335	Floating equipment—barges.
336	Less: Accumulated depreciation—barges.
337	Other floating equipment.
338	Less: Accumulated depreciation—other floating equipment.
341	Containers.
342	Less: Accumulated depreciation—containers.
343	Refrigerated containers.
344	Less: Accumulated depreciation—refrigerated containers.
345	Container-related equipment.
346	Less: Accumulated depreciation—container-related equipment.
347	Chassis and trailer equipment.
348	Less: Accumulated depreciation—chassis and trailer equipment.
349	Terminal property and equipment.
350	Less: Accumulated depreciation—terminal property and equipment.
351	Other shipping property and equipment.
352	Less: Accumulated depreciation—other shipping property and equipment.
353	Nonshipping property and equipment.
354	Less: Accumulated depreciation—nonshipping property and equipment.
355	Office leaseholds and leasehold improvements.
356	Less: Accumulated amortization—office leaseholds and leasehold improvements.
357	Terminal leaseholds and leasehold improvements.
358	Less: Accumulated amortization—terminal leaseholds and leasehold improvements.
359	Construction work in progress.
	Total property and equipment after accumulated allowances.
	Other assets:
361	Claims pending.
362	Spare parts on which construction-differential subsidy has been paid.
363	Spare parts—other.
364	Notes and accounts receivable from officers and employees.
367	Deferred operating-differential subsidy receivable.
368	Other noncurrent notes and accounts receivable.
370	Maritime Administration allowance for obsolete vessels.

(A) BALANCE SHEET—continued

Account No.	Assets
374	Miscellaneous other assets.
	Total other assets.
169	Less: Estimated—allowance for doubtful notes and accounts receivable.
	Total other assets after estimated allowance for doubtful notes and accounts receivables
375	Deferred charges and prepaid expenses.
383	Accumulated deferred income tax charges.
391	Goodwill.
398	Other intangible assets.
399	Less: Accumulated amortization—other intangible assets.
	Total assets.
	Liabilities
	Current liabilities:
400	Notes payable.
415	Notes and accounts payable—affiliates.
420	Accounts payable.
440	Accrued liabilities.
479	Other current liabilities.
480	Deferred income tax credits.
495	Advance ticket sales and deposits.
526	Mortgage notes—Maritime Administration.
527	U.S. Government insured or guaranteed merchant marine bonds and notes.
530	Other bonds and debentures.
534	Other long-term debt.
	Total current liabilities.
	Voyages in progress (when a net credit balance).
500	Deferred revenues—unterminated voyages.
200	Less: Deferred expense—unterminated voyages.
	Long-term debt (due after 1 year):
526	Mortgage notes—Maritime Administration.
527	U.S. Government insured or guaranteed merchant marine bonds and notes.
530	Other bonds and debentures.
534	Other long-term debt.
	Total long-term debt.
	Other liabilities:
541	Noncurrent payables—affiliated companies.
549	Noncurrent notes and accounts payable—officers and employees.
550	Recapturable profits—Maritime Administration.
554	Miscellaneous other liabilities.
	Total other liabilities.
	Deferred credits:
556	Premium on funded debt.
563	Accumulated deferred income taxes.
564	Miscellaneous deferred credits.
	Total deferred credits.
	Estimated operating allowances:
566	Estimated allowances for repairs.
570	Estimated allowances for insurance.
579	Estimated operating allowances—Miscellaneous.
	Total estimated operating allowances.
	Total liabilities.
	Owner's equity—capital stock:
581	Issued and outstanding.
585	Subscribed.
587	Less: Discount on capital stock.
	Total capital stock.
590	Additional paid-in capital.
	Retained earnings:
593	Prior period adjustments to beginning retained income accounts.
598	Restricted.
599	Unrestricted.
591	Total retained earnings.
	Less: Treasury stock.
	Total owner's equity.
	Total liabilities and equity.

(B) INCOME STATEMENT

Account No.	Assets
	Shipping operations:
601-670	Waterline operating revenue.
701-989	Waterline operating expense.
	Gross profit (loss) from shipping operations.
	Other income:
675	Interest income.
685	Dividend income.
690	Miscellaneous other income.
691	Release of premium on long-term debt.
692	Unusual or infrequent items (credit).
697	Income from affiliated companies.
	Other deductions from income:
960	Interest expense.
961	Interest expense—affiliates.
965	Doubtful notes and accounts receivable.
976	Amortization—debt discount and expense.
977	Amortization—organization expense.
979	Miscellaneous amortization expense.
990	Miscellaneous expense.
991	Unusual or infrequent items (debit).
	Net income from shipping operations.
	Nonshipping operations:
695	Revenue from nonshipping operations.
971	Depreciation—nonshipping property and equipment.
980	Expense of nonshipping operations.
	Net income (loss) from nonshipping operations.
	Income (loss) from continuing operations before income taxes.
985	Income taxes accrued on ordinary income.
986	Provision for deferred income taxes.
	Income (loss) from continuing operations.
	Discontinued operations:
983	Income or loss from operations of discontinued segments (less applicable income taxes of $.....)
984	Gain or loss on disposal of discontinued segments (less applicable income taxes of $.....)
	Income (loss) before extraordinary items.
	Extraordinary items and accounting changes.

(B) INCOME STATEMENT—continued

Account No.	Assets
905	Extraordinary items (net).
987	Income tax on extraordinary items.
988	Provision for deferred taxes—extraordinary items.
	Extraordinary items:
996	Cumulative effect of changes in accounting principles.
	Net income (loss)

(C) WATERLINE OPERATING REVENUE AND EXPNSE STATEMENT

Account No.	Shipping operations—Terminated voyage results (from sec. 282.6(D))	Revenue	Expense	Net
801-840, 843-849	Idle vessel expense			
640, 955	Collection from and contributions to pools			
	Gross profit (loss) from shipping operations before subsidy			
625	Operating-differential only subsidy			
	Gross profit (loss) from vessel operations after subsidy			
645	Revenue from terminal operations			
650	Revenue from cargo handling operations			
655	Revenue from tug and lighter operations			
660	Revenue from container related operations			
665	Revenue from other shipping operations			
670	Agency fees, commissions, and brokerage earned			
	Gross profit (loss) from shipping operations, before overhead, amortization, and depreciation.			
	Overhead			
901-934	Administrative and general expenses			
940	Management fees and commissions—affiliates			
941	Management fees and commissions—other			
945	Advertising—passenger			
946	Advertising—other			
989	Other taxes			
	Gross profit (loss) from shipping operations before amortization and depreciation.			
	Amortization-depreciation—shipping property and equipment			
742	Depreciation—vessels			
842	Depreciation—idle vessels			
859	Depreciation—terminal property and equipment			
864	Depreciation—other floating equipment			
881	Depreciation—container			
882	Depreciation—refrigerated containers			
883	Depreciation—chassis and trailer equipment			
885	Depreciation—barges			
886	Depreciation—container-related equipment			
970	Depreciation—other shipping property and equipment			
975	Amortization—office leaseholds and leasehold improvements			
860	Amortization—terminal leaseholds and leasehold improvements.			
	Total waterline revenue and expense			
	Gross profit (loss) from shipping operations			

(D) VESSEL OPERATING STATEMENT

Account No.	Vessel revenue-terminated voyates
601	Freight—foreign.
605	Freight—coastwise and intercoastal.
608	Passenger—foreign.
612	Passenger—coastwise and intercoastal.
620	Charter revenue.
624	Other voyage revenue.
	Total vessel revenue.
	Operating expense—terminated voyages
	Vessel expenses:
701	Crew wages.
703	Crew fringe benefits.
704	Union payments unrelated to the crew.
708	Payroll taxes.
710	Domestic subsistence.
714	Foreign subsistence.
715	Domestic consumable stores, supplies, and equipment.
716	Foreign consumable stores, supplies, and equipment.
725	Other maintenance expense.
730	Insurance—hull and machinery.
732	Insurance—protection and indemnity.
734	Insurance—other marine-risk.
735	Vessel fuel.
740	Vessel repairs—domestic.
741	Vessel repairs—foreign.
743	Time and trip charter hire.
744	Time and trip charter hire—affiliates.
745	Short-term bareboat charter hire.
746	Short-term bareboat charter hire—affiliates.
747	Long-term bareboat charter hire.
748	Long-term bareboat charter hire—affiliates.
749	Other vessel expenses.
	Total vessel expense.
	Voyage expenses:
750	Container and barge expenses: Allocated container and barge expense.
751	Terminal expenses: Allocated terminal expenses.
	Port expenses:
752	Cargo handling—loading/discharging.
753	Cargo handling—loading/discharging—barges.
754	Cargo handling—container yard.
755	Cargo handling—container freight station.

(D) VESSEL OPERATING STATEMENT—continued

Account No.	Vessel revenue-terminated voyages
	Port expenses—Continued
756	Cargo handling—lighter freight station.
757	Cargo handling—lighter consolidation.
758	Cargo handling—commercial cargo.
759	Cargo handling—other.
762	Purchased off-dock container freight station services.
763	Port transportation expense—commercial.
764	Port transportation expense—military.
765	Inland transportation expense—commercial.
766	Inland transportation expense—military.
767	Substituted service transportation expense—commercial.
768	Substituted service transportation expense—military.
770	Wharfage and dockage.
771	Other port expenses.
772	Port costs of passenger operations.
773	Transit canal tolls.
	total po t expenses.
	Brokerage expense and agency fees and commissions:
950	Freight brokerage.
951	Passenger brokerage.
952	Agency fees and commissions.
	Total brokerage expense, agency fees and commissions.
	Total voyage expense.
	Total operating expense.
	Terminated voyage results.

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26 1/3
13 1/3
39 2/3

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PART III

ENVIRONMENTAL PROTECTION AGENCY

■

PESTICIDE PROGRAMS

Submission and Approval of State Plans for Certification of Commercial and Private Applicators

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 171]

[FRL 320-4; OPP-42001]

PESTICIDE PROGRAMS

Submission and Approval of State Plans For Certification of Commercial and Private Applicators

On October 9, 1974, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (39 FR 36446) standards for the certification of applicators of restricted use pesticides as required by section 4(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973). The following proposed regulations are designed to ensure that State plans for the certification of applicators satisfy all the requirements of section 4 and are adequate to ensure compliance with the applicator certification standards.

During the development of this proposed rulemaking, there was extensive discussion, and some confusion, about the meaning of the terms "regulations" and "guidelines." At various times, both terms have been used in attempting to characterize the proposed rules. The impression may have been left that "regulations" have the force of law while "guidelines" do not. Whether called regulations, guidelines, or any other term, rules properly issued to implement a regulatory authority under Federal law (in this case FIFRA, as amended) have the force of law when the rules prescribe particular actions: "rules mean the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy . . ." [Administrative Procedure Act, 5 U.S.C. section 551(4)].

In response to numerous requests from the States and others it has been decided to title this proposed rulemaking regulations instead of guidelines. Both prescriptive and non-prescriptive rules are included in these regulations. Changing the title to regulations has not reduced the level of flexibility available in responding to these regulations.

STATUTORY AUTHORITY

Section 4(a)(2) of the amended FIFRA (86 Stat. 973) requires each State Governor desiring to certify applicator of pesticides to submit a State plan for that purpose and for the Administrator to approve the plan, or any modification thereof, if in his judgment the plan contains the following mandatory elements:

(A) designates a State agency as the agency responsible for administering the plan throughout the State;

(B) contains satisfactory assurances that such agency has or will have the legal authority and qualified personnel necessary to carry out the plan;

(C) gives satisfactory assurances that the State will devote adequate funds to the administration of the plan;

(D) provides that the State agency will make such reports to the Administrator in such form and containing such information as the Administrator may from time to time require; and

(E) contains satisfactory assurances that State standards for the certification of applicators of pesticides conform with those standards prescribed by the Administrator under paragraph (1).

Paragraph 4(a)(2) of the Act, further provides that any State certification program under this section shall be maintained in accordance with the State plan approved by the Administrator.

DISCUSSION OF REGULATIONS

Section 171.7 (a) *State Agency*. While this subparagraph provides for the designation of a State agency which will be the official liaison with EPA and which will be responsible for administering the plan throughout the State, the wording implicitly acknowledges that there may be more than one State agency regulating the activities of pesticide applicators. Accordingly, other cooperating agencies should be identified and their function and relation to the lead agency described. Data on numbers and qualifications of personnel involved should be given. This will enable EPA to evaluate the adequacy of the State plan in terms of qualified personnel as required by section 4(a)(2)(B) of the Act. All States have already designated a lead agency as a necessary first step in preparing for certification; but in most instances other cooperating agencies have not been identified.

Section 171.7 (b) *Legal Authority and Qualified Personnel*. While this requirement might be fulfilled by an affirmative statement that the designated agency responsible for administering the plan throughout the State, has or will have, the legal authority necessary to carry out the plan, there are differences of opinion regarding the legal authorities States will need to carry out the plan. Unless these authorities are identified, agreed to and understood by all concerned, EPA might be faced at a future date with the necessity of withdrawing approval of a plan under section 4(b) because a State lacked certain legal authorities which are considered necessary to carry out the intent of the Act.

It is recognized that many States do not currently have all legislative authorities needed to implement Section 4 and are now in the process of correcting deficiencies. The time schedule for this process must be developed, taking into consideration the mandatory date for the implementation of the Act and biennial sessions of legislatures in some States. To facilitate this process, these regulations include a provision for the contingency approval of a State plan pending enactment of the necessary legislation (See § 171.7(b)(1)(B)). However, the approval shall lapse if no legislation is enacted in the next legislative session (including any special session) following the date of contingent approval of the plan.

Section 171.7(c) *Adequate Funds*. Consideration was given to requesting detailed information on State funds, including a budget for the establishment and operation of the State certification program. Such information would be helpful to EPA in assessing State capabilities to implement viable programs in accordance with the intent of the Act and State needs for supplemental support for their programs. However, in the interest of reducing the volume of required data from the States, the regulations will not require budgetary detail. It is anticipated that each State will provide sufficient information to satisfy EPA that adequate funding will be available. Further, the information regarding numbers, job titles and functions of personnel carrying out the plan will reflect one portion of the funds necessary for administering the plans. However, in doubtful situations, EPA may request more specific information as needed to make a decision in this area.

Section 171.7(d) *Reports*. The Act provides for the submission of reports related to the implementation and maintenance of State plans, thus providing the Administrator with the necessary assurances that approved plans are, indeed, functioning properly. Accordingly, the Reports section of the regulations is designed to provide for submission of appropriate and relevant data on an annual basis and, recognizing variation in budgetary years, at a time to be proposed by each individual State. Reporting provisions of this section are also designed to shed light on the magnitude and content of the program, the extent to which enforcement has been exercised and changes that are necessary to improve the effectiveness of various facets of the certification program. Annual reporting of changes necessary to improve certification program effectiveness does not preclude States from proposing changes to the Administrator at any other time, as the need may arise.

Section 171.7(e) *Conformity of Standards*. The standards for certification of applicators were designed to identify clearly what an individual should know to be determined to be competent. At the same time, the standards are presented in a manner that permits a State to build upon them as a base in the development of the details each State may need for its own program. The State standards should be explicit and must be developed to conform and be at least equal to those prescribed in § 171.4, for the various categories of commerical applicators and for private applicators in § 171.5.

The regulations require a description of the types of examinations to be administered as an indication of applicator competency. It is anticipated that such descriptions and the submission of sample questions (or sample examinations) will not only reflect the adequacy of the program but will help EPA accumulate sound approaches for testing the competency of applicators which will be useful to other States. The Agency expects to develop informational materials which will provide assistance to States in various areas including methods of determining applicator competence.

If considered necessary at some future time, EPA may promulgate special standards under reserved § 171.4(d). In the development of their plans, therefore,

States are asked to recognize the possibility of special standards, or their own special competency standards, and to indicate how they are prepared to accommodate the need for demonstration of special training or competency. (See § 171.7(e)(2) of these regulations.)

Furthermore, it is recognized that some States may already have applicator standards equivalent to or exceeding those of EPA for certain categories of users. Section 171.7(e)(4) provides an acceptance procedure for individuals so qualified.

The provision in section 4 requiring EPA to prescribe standards for certification of applicators should result in a high degree of commonality among State programs throughout the country. It is recognized that differences will exist between States, especially where there are noticeable variations in climate, cropping practices, laws and regulations. Where there is sufficient similarity to warrant it, [§ 171.7(e)(7)] States are encouraged to develop programs for reciprocity. Multi-State certification is not prohibited by the regulations and reciprocity procedures will ease the certification burden on interstate farming operations and commercial business involving pesticide application across State lines. The implementation of amended FIFRA need not place unnecessary hardships on established interstate commerce and, in fact, should alleviate some of the current problems.

Other regulatory activities. Provision is also made in the regulations for States to elaborate on their overall programs by including regulatory activities other than for the certification of applicator programs which will contribute to the overall safety and effectiveness of their pesticide use programs.

Section 171.8(a) *Maintenance of State Plans.* The regulations refer to the matter of supervisory responsibility of certified applicators for the performance of persons working under them and details of how this will be accomplished are requested as part of a State plan in § 171.8(a)(1). Since the availability of the certified applicator must be directly related to the hazard of the situation, States should give examples of how they will deal with the problem of supervisory responsibility and the methods proposed for enforcement.

There has been much discussion among user groups, educational institutions and regulatory officials as to how certified applicators will continue to meet the demands of changing technology. A number of options are open. There is particular merit in required attendance at conferences, workshops, or scheduled training courses as this approach provides a continuing opportunity for the applicator to learn and to remain up-to-date on pertinent matters. Administration of special examinations as significant changes in technology occur or periodic reexamination are other options. Since it is impossible to forecast future developments, the matter has been left flexible and States are being asked at this time to include suitable provisions to meet the demands of changing technology in their plans [§ 171.8(a)(2)]. At some future time, more specific requirements may be needed.

Section 171.9 *Federal Agency Pesticide Applicators.* The program of certification of pesticide applicators under FIFRA was clearly identified by Congress as one of Federal/State cooperation with the process of certification being delegated to the States. A number of special situations involving certification of Federal employees, however, made it necessary to establish special provisions for these applicators. Some Federal employees apply restricted use pesticides only at Federal facilities; others reside more or less permanently in a single State but operate on Federal, State, or private property; while still others are required to move from State to State to carry out their responsibilities.

Under Executive Order 11752, Federal facilities are to comply with Federal, State and local substantive standards for the prevention, control and abatement of environmental pollution, but are not required to comply with State or local administrative procedures for implementing such requirements. Implementation of the FIFRA, as amended, with respect to Federal facilities is included in Executive Order 11752. An adequate program for assuring certification of Federal employees applying pesticides on Federal facilities must therefore be provided.

A situation requiring particular consideration is the matter of special activities and responsibilities of Federal employees who may need to be certified to apply pesticides on a variety of Federal, State and private lands. Acting under statutes mandated by Congress, some Federal agencies must move personnel frequently and on short notice to distant localities for special pest programs, e.g., to control or eradicate pests introduced from outside the country or to assist States in continuing pest control programs. These Federal pest control programs and joint Federal/State activities pose a potentially difficult situation with respect to certification in various States. For example, there is no way to predict in advance which State or States will have a pest situation at some time in the future which may require the assistance of certain Federal employees. It is impractical and unrealistic for these Federal employees to be required to take examinations in all States to be qualified to work with restricted use pesticides in the particular State or States where their presence is, from time to time, required.

Arrangements have therefore been developed with the Federal Working Group on Pest Management (FWGPM) to deal with qualifying Federal applicators for certification. The FWGPM's Panel on Categorization and Training Objectives is developing a plan for establishing Federal applicator competency standards which will conform and be at least equal to those developed by EPA. Under this system, the FWGPM will be responsible for submitting a plan for Federal employees to the Administrator for approval. This procedure of accommodation has been identified in § 171.9 as the Government Agency Plan (GAP).

The GAP will include the elements common to all Federal agencies and will additionally reflect special requirements which any particular agency may have. If the plan is approved by EPA, a copy will be sent to each State so that State officials can determine whether or not the Federal employees qualified under the GAP meet State certification requirements. States will be asked to describe in their State plan any additional requirements [§ 171.7(e)(5)] that Federal employees must meet to use restricted use pesticides in that State, but the additional requirements should not exceed those required of other applicators in that State. A current roster of Federal employees who have been determined to be qualified under GAP standards will be maintained and an appropriate form will be issued to Federal employees qualified under the GAP.

It is envisioned that Federal employees qualified under the GAP who apply restricted use pesticides on Federal, State or private lands within a State will be prepared to present documentation to appropriate State officials verifying their qualifications. The Federal form issued to these employees will provide an opportunity for States that have requirements in addition to the GAP to specify other qualifications needed to apply restricted use pesticides in that State. The form would also permit the appropriate State official to indicate acceptance of the applicator's qualifications, thus authorizing the applicator to use restricted use pesticides within the State. Copies of the forms which have been reviewed by State officials will be sent to EPA and will be used to evaluate and update training programs for Federal applicators.

It should be pointed out that there is no requirement that Federal agencies utilize the GAP. For administrative convenience or for other reasons, a Federal agency may provide for its employees to obtain State certification directly in lieu of participating in the GAP.

States have primary responsibility for enforcement procedures to ensure that Federal employees qualified under the GAP or certified by the State comply with State and Federal certification standards when applying restricted use pesticides on State or private lands. The Federal agency involved is responsible for enforcement procedures to ensure that restricted use pesticides applied within a Federal facility are applied in compliance with the appropriate standards of certification. Federal facility managers are encouraged to develop cooperative enforcement procedures with the State.

Provisions designed to facilitate certification of Federal agency pesticide applicators do not apply to nonfederal employees contracted to perform pesticide application for the Federal Government. Rather, such employees must be certified by the appropriate State(s).

Plans are being developed separately to provide for Federal employees who must respond to unusual emergency situations.

This discussion supersedes that published in the FEDERAL REGISTER, February 22, 1974 (39 FR 6731), on the subject.

Section 171.10 *Certification of Applicators on Indian Reservations*. The problem of certifying applicators on Indian Reservations arose during the development of the proposed regulations for submission and approval of State plans. While States have primary responsibility for conducting certification within their own political boundaries, they do not always have jurisdiction over Indian Reservations within those boundaries. The Government Agency Plan discussed in § 171.9 is not an appropriate mechanism for qualifying or certifying Indian applicators since (1) it was designed exclusively for Federal employees and (2) it is built around commercial applicator standards rather than the less inclusive private applicator standards which would apply to most Indian farmers.

The Agency is specifically seeking comments on the proposed regulations [§ 171.10] providing for the certification of pesticide applicators on Indian Reservations. The certification plan to be followed may depend upon the extent of State jurisdiction over Indian Reservations within a State's political boundaries. Where a State has assumed jurisdiction over an Indian Reservation under other laws, that State's pesticide applicator certification plan shall apply to all pesticide applicators on that Reservation. In cases where Federal laws apply and State laws do not apply, the appropriate Indian Governing Body may choose to develop its own certification plan for Indian private and commercial applicators based on EPA or State standards and submit their plan to the State for incorporation in the State plan or via the United States Department of the Interior to EPA for approval.

Provisions designed to facilitate certification of Indian pesticide applicators who are members of an Indian Reservation not subject to State law would also apply to non-Indian employees contracted to perform pesticide applications for the Indian Governing Body or employed by a private lessee of Indian Reservation Lands. (Section 171.7(e)(6) provides space for States to indicate any arrangements they have for certifying or assisting in certification of applicators on Indian Reservations.)

DISCUSSION OF NEED FOR TRAINING

A plan for training of applicators is not required in the State plan dealing with certification since training is not included in section 4, FIFRA, as amended. However, training is referred to in section 23, and such activities will be extremely important in helping to ensure that applicators meet competency standards and achieve the intent of the amended FIFRA that restricted use pesticides be properly used. Because of the time schedule involved, training should receive special emphasis between now and October 1976. Since State educational organizations, principally the State Cooperative Extension Service, educational institutions and industries may be involved in training, coordination of such training within each State is essential. A document executed by EPA and the USDA provides for such leadership through the Federal/State Cooperative Extension system, and the lead agency may adopt this arrangement at its option, and include training plans as a supplement to its certification plans.

DISCUSSION OF NEED FOR ACCIDENT REPORTING

Pesticides are registered by EPA largely on the basis of laboratory tests designed to evaluate their pesticidal effectiveness and their possible adverse effects on non-target organisms. These laboratory tests are supplemented by limited field tests designed to predict a product's efficacy and environmental behavior. Such tests are by no means comprehensive or conclusive. In actual use, pesticides may have a variety of adverse effects that could not be predicted on the basis of laboratory and limited field testing. Prior to registration, EPA also evaluates such parameters as packaging and labeling. But again, it is not possible to be sure that the pre-registration assessments will reflect all the problems which will be encountered during use of a pesticide. Directions for use, for example, may well be interpreted in a way that neither EPA nor the registrant had anticipated. The occurrence of such unforeseen problems may necessitate additional regulatory action to protect human health, environmental quality, and economic values. The availability of reliable field data is therefore essential to EPA in carrying out regulatory responsibilities under the amended FIFRA.

In recognition of these responsibilities, EPA established the Pesticide Accident Surveillance System (PASS), in January 1973. Currently, PASS receives reports on pesticide accidents from approximately 150 State and Federal agencies on a voluntary basis.

While PASS has provided some important data on pesticide accidents, voluntary accident reporting systems may not be entirely adequate to provide the scope and detail of information needed to carry out the Agency's regulatory responsibilities. Accordingly, EPA has considered including a requirement that (1) commercial applicators report accidents or episodes which occur in connection with their handling and use of pesticides and which involve substantial adverse effects on, or risk to, human health, environmental quality, or economic values and (2) States in turn report these accidents through PASS.

In meetings during the development of these regulations, there was extensive discussion of such a requirement. However, one point was made repeatedly at these meetings—many States would not be able to take all the steps necessary to implement an accident report requirement (including enactment of legislation where necessary) without seriously diluting their efforts to certify applicators by October 21, 1976. Therefore, EPA has decided not to include any language establishing mandatory pesticide accident report requirements in the proposed regulations at this time. However, EPA specifically invites comments by State officials and other interested persons on the question of whether EPA should require any mandatory reporting of pesticide accidents. If, as a result of these comments, it is decided not to require any mandatory reporting of accidents and episodes at this time, EPA will continue to rely on the PASS and other voluntary reporting systems until further evaluation of their adequacy can be made. The timetable for this evaluation is October 21, 1976. If it is determined at that time that the voluntary systems are not adequate to carry out the intent of amended FIFRA, it may be necessary to consider issuing a proposed rule to require mandatory pesticide accident and episode reporting by commercial applicators.

Comments should also specifically address the following types of pesticide related events which the Agency believes would provide useful information in identifying and perhaps reducing or preventing accidents:

(a) Humans—(1) All human fatalities;

(2) Episodes resulting in apparent permanent disability;

(3) Episodes involving hospitalization or medical treatment;

(4) Episodes involving illness or injury with no hospitalization or medical treatment.

(b) Animals—(1) Episodes involving large numbers of animals either domestic or wild. This may include fatal, injured, or ill as well as animals exposed but exhibiting no poisoning symptoms.

(2) Episodes involving animal fatalities;

(3) Episodes involving poisoning symptoms;

(4) Episodes involving animals that apparently have been exposed to pesticides but exhibit no poisoning symptoms.

(c) Plants—(1) Episodes involving destruction or damage to large areas of cropland or forest;

(2) Episodes involving damage to ornamental plants including lawns, and small vegetable gardens, fruit trees, etc.

(d) General Contamination—(1) Contamination of a public or private water supply;

(2) Warehouse or pesticide storage facilities involved in disasters such as tornadoes, hurricanes, and fires;

(3) Spillage of a pesticide during transportation or jettison of a pesticide during aerial application;

(4) Pesticide contamination of food or feed crops;

(5) Incidents resulting from improper use or disposal of treated seeds;

(6) Incidents resulting from improper use or disposal of pesticide containers.

It is important to note that such a system can and should be designed in such a way as to facilitate the flow of information without requiring excessive paperwork by applicators.

PUBLIC COMMENTS

Interested persons are invited to submit written comments on the proposed regulations to the Federal Register Sec-

tion, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 423, East Tower, 401 M Street SW., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the EPA and others interested in inspecting the document. The comments must be received on or before February 5, 1975 and should bear a notation indicating the subject [OPP-42001]. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

Dated: December 24, 1974.

RUSSELL E. TRAIN,
Administrator.

Part 171 is amended by adding § 171.7 through 171.10 to 40 CFR to read as follows:

Sec.
171.7 Submission and approval of State plans for certification of commercial and private applicators of restricted use pesticides.
171.8 Maintenance of State plans.
171.9 Submission and approval of Government Agency Plan.
171.10 Certification of applicators on Indian Reservations.

AUTHORITY: Sections 4 and 25(a), Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 86 Stat. 973.

§ 171.7 Submission and approval of State plans for certification of commercial and private applicators of restricted use pesticides.

If any State, at any time, desires to certify applicators of restricted use pesticides, the Governor of that State shall submit a State plan for that purpose. The Administrator shall approve the plan submitted by any State, or any modification thereof, if the plan in his judgment—

(a) Designates a State agency as the agency responsible for administering the plan throughout the State. Since several other agencies or organizations may also be involved in administering portions of the State plan, all of these shall be identified in the State plan, particularly any other agencies or organizations responsible for certifying applicators and suspending or revoking certification. In the event that more than one State agency will be responsible for performing certain functions under the State plan, the plan shall identify which functions are to be performed by which agency and indicate how the program will be coordinated by the lead agency to ensure consistency of programs within the State. The lead agency will serve as the central contact point for the Environmental Protection Agency in carying out the certification program. The numbers and job titles of the responsible officials of the lead agency and cooperating units shall be included.

(b) Contains satisfactory assurances that such lead agency has or will have the legal authority and qualified personnel necessary to carry out the plan:

(1) Satisfactory assurances that the lead agency or other cooperating agencies have the legal authority necessary to carry out the plan should be in the form of an opinion of the Attorney General or the legal counsel of the lead agency. In addition:

(i) The lead agency should submit a copy of each appropriate State law and regulation.

(ii) In those cases where the required legislative authorities have been requested by the Executive but have not yet been granted by the State Legislature (or have been granted but not yet been fully implemented), the lead agency may request that a State plan be approved contingent upon the enactment of all necessary legislation. Ordinarily, plans approved on a contingency basis will be for a specific period of time, generally not to exceed a period of one year from the date of approval. During this time, the State will have an approved certification program and may proceed to certify applicators who will then be permitted to use pesticides classified for restricted use under FIFRA, as amended. If no legislation is enacted within the time period of the contingent program, the approval shall lapse. In such instances, section 4(b) of FIFRA, as amended, shall not apply. In the event that the legislation passed by the State Legislature differs materially from that proposed and submitted with the original State plan, and the Administrator finds that such legislation does not provide adequate legal authority to administer the plan, section 4(b) of FIFRA, as amended, shall apply.

(iii) The State plan should indicate by citations to specific laws (whether enacted or pending enactment) and/or regulations (whether promulgated or pending promulgation) that the State has legal authorities as follows:

(A) Provisions for and listing of the acts which constitute grounds for denying, suspending and revoking certification of applicators; and provisions for assessing criminal and/or civil penalties, and other appropriate action. Such grounds should include, at a minimum, misuse of a pesticide and falsification of any records required to be maintained by the certified applicator.

(B) Provisions for reviewing an applicator's certification to determine whether suspension or revocation of the certification is appropriate in the event of criminal conviction under section 14(b) of amended FIFRA, a final order imposing civil penalty under section 14(a) of amended FIFRA, or conclusion of a State enforcement action.

(C) Provisions for right-of-entry by consent or warrant by appropriate State officials at reasonable times for surveillance, inspection, and observation purposes.

(D) Provisions making it unlawful for persons other than certified applicators or persons working under their supervision to use restricted use pesticides.

(E) Provisions requiring certified commercial applicators to keep and maintain for the period of at least two years routine operational records containing information on kinds, amounts, uses, dates, and places of application of restricted use pesticides; and for ensuring that such records will be available for inspection by appropriate State officials at reasonable times.

(2) Satisfactory assurance that the lead agency and any cooperating organizations have qualified personnel necessary to carry out the plan will be demonstrated by including the numbers, job titles and job functions of persons so employed.

(c) Give satisfactory assurances that the State will devote adequate funds to the administration of the plan.

(d) Provides that the State agency will make reports to the Administrator in a form and containing information that the Administrator may from time to time require, including:

(1) An annual report to be submitted by the lead agency, at a time to be specified by the State, to include the following information:

(i) Total number of applicators, private and commercial, by category, currently certified; number of applicators, private and commercial, by category, certified during the last reporting period.

(ii) Any changes in commercial applicator subcategories.

(iii) A summary of enforcement actions related to certified applicators during the last reporting period, showing number and types of actions taken.

(iv) Any significant proposed changes in required standards of competency.

(v) Proposed changes in plans and procedures for enforcement activities related to certified applicators for the next reporting period.

(vi) Any other proposed changes from the State plan that would significantly affect the State certification program.

(2) Other reports as may be required by the Administrator shall be submitted from time to time to meet specific needs.

(e) Contains satisfactory assurances that the State standards for the certification of applicators of pesticides conform to those standards prescribed by the Administrator under §§ 171.4 and 171.5. Such assurances should consist of:

(1) A detailed description of the State's plan for certifying applicators and a discussion of any special situations, problems, and needs, together with an explanation of how the State intends to handle them. The State plan should include the following elements as a minimum:

(i) For commercial applicators:

(A) A list and description of categories and subcategories to be used in the State, such categories to be consistent with those defined in § 171.3.

(B) An estimate of the number of commercial applicators by category expected to be certified by the State.

(C) The standards of competency elaborated by the State. These shall conform and be at least equal to those prescribed in § 171.4 for the various categories of applicators utilized by the State. The standards shall also cover each of the points listed in the general standards in § 171.4(b) and the points covered in the appropriate specific standards set forth in § 171.4(c).

(D) For each category and subcategory listed under § 171.7(e)(1)(A)(i),

either submission of examinations or a description of the types and contents of examinations (e.g., multiple choice, true-false) and submission of sample examination questions; and a description of any performance testing used to determine competency of applicators.

(ii) For private applicators:

(A) An estimate of the number of private applicators expected to be certified by the State.

(B) The standards of competency elaborated by the State. These shall conform and be at least equal to those prescribed in § 171.5(a), including the five requirements listed in § 171.5(a)(1)–(5).

(C) Types and contents of examinations and/or submission of detailed description of methods other than examination used to determine competency of private applicators.

(D) A description of any special procedure of testing that a State develops to determine the competency of a private applicator who is unable to read the label as prescribed in § 171.5(b)(1).

(2) A description of how the State will certify applicators for any special competency standards which may be developed later under reserved § 171.4(d), or other standards imposed independently by the State.

(3) A provision for issuance by the State of appropriate credentials or documents verifying certification of applicators.

(4) If appropriate, a description of any existing State licensing, certification or authorization programs for private applicators or for one or more categories of commercial applicators may be included. If these programs are determined by EPA to meet standards of competency prescribed by §§ 171.1 through 171.6, States may certify applicators so licensed, certified or authorized without additional examination provided:

(i) The commercial applicators who were licensed, certified, or authorized have demonstrated their competency based on written examinations and, as appropriate, performance testing, conforming to the standards set forth in § 171.4, and

(ii) The private applicators who were licensed, certified, or authorized have demonstrated their competency by written or oral testing procedures or other acceptable equivalent system, conforming to the standards set forth in § 171.5.

(5) A statement that the State accepts Federal employees qualified under the Government Agency Plan (GAP) as fully meeting the requirements for certification by that State; or a description of any additional requirements these employees must meet to apply restricted use pesticides in that State. Any such additional requirements shall be consistent with and shall not exceed standards established for other comparable applicators in that State.

(6) A description of any arrangements a State has made to certify or assist in the certification of applicators on Indian reservations which are under the jurisdiction of Federal laws [§ 171.10(a)].

(7) A description of any arrangements that a State has made or plans to make relating to reciprocity with other States for the acceptance of certified applicators from those States. However, those arrangements should meet these conditions:

(i) The State according reciprocity should provide for issuance of an appropriate document verifying certification based upon the certifying document issued by the other State.

(ii) The State according reciprocity should have enforcement procedures that cover out-of-State applicators to the same extent as those applicators examined and certified within the State;

(iii) The detailed State standards of competency, for each category identified in the reciprocity arrangement should be sufficiently comparable to justify waiving an additional examination by the State granting reciprocity.

In responding to the preceding requirements, a State may describe in its State plan other regulatory activities implemented under State laws or regulations which will contribute to the desired control of the use of restricted use pesticides by certified applicators. Such other regulatory activities, if described, will be considered by the Administrator in evaluating whether or not a State's certified applicator program satisfies the requirements of § 171.7 (a) through (e).

§ 171.8 Maintenance of State plans.

(a) Any State certification program approved under § 171.7 shall be maintained in accordance with the State plan approved under that section. Accordingly, the State plan should include:

(1) Provisions to assure that certified applicators comply with standards for the use of restricted use pesticides and carry out their responsibility to provide adequate supervision of noncertified applicators.

(2) Provisions to ensure that applicators continue to meet the requirements of changing technology and to assure a continuing level of competence and ability to use pesticides safely and properly.

(b) An approved State plan and the certification program carried out under such plan may not be substantially modified without the prior approval of the Administrator. A proposed change may be submitted for approval at any time but all applicable requirements prescribed by these regulations must be satisfied for the modification to be eligible for approval by the Administrator.

(c) Whenever the Administrator determines that a State is not administering the certification program in accordance with the State plan approved under § 171.7 he shall so notify the State and provide for a hearing at the request of the State and, if appropriate corrective action is not taken within a reasonable time, not to exceed ninety days, the Administrator shall withdraw approval of the plan.

§ 171.9 Submission and approval of Government Agency Plan.

This section is included to provide for certain Federal employees including those whose duties may require them to use or supervise the use of restricted use pesticides in a number of States.

(a) Sections 171.1 through 171.8 will, with the necessary changes, apply to the Government Agency Plan (GAP) for determining and attesting to the competency of Federal employees to use or supervise the use of restricted use pesticides.

(b) Federal employees qualified under the GAP shall:

(1) Be prepared to present the Federal form issued to them attesting to their competency to appropriate State officials.

(2) Fulfill any additional requirements States may have enumerated in their State plans as provided for under § 171.7(e)(5).

(c) The employing Federal agency shall ensure that employees using or supervising the use of restricted use pesticides within a Federal facility are subject to the same or equivalent provisions prescribed under § 171.7(b)(1)(C).

§ 171.10 Certification of applicators on Indian Reservations.

This section applies to applicators on Indian Reservations.

(a) On Indian Reservations[1] the appropriate Indian Govening Body[2] may choose to utilize the State certification program or develop its own plan for certifying Indian private and commercial applicators to use or supervise the use of restricted use pesticides based on Federal or State standards for certification. At the option of the Indian Governing Body, such a plan may be submitted to the State for incorporation in the State plan or, alternatively submitted through the United States Department of the Interior to the Administrator for approval.

(b) On Indian lands subject to the jurisdiction of a State anyone using or supervising the use of restricted use pesticides shall be certified under the appropriate State certification plan.

(c) Indian applicators using or supervising the use of restricted use pesticides on State or private land shall be certified under the appropriate State certification plan.

(d) Non-Indian employees contracted to apply restricted use pesticides on Indian Reservation lands not subject to State jurisdiction shall be certified either under a State certification plan accepted by the Indian Governing Body or under the Indian Reservation certification plan.

(e) Nothing in this section is intended either to confer or deny authority to the States over Indian Reservations not already conferred or denied under other laws or treaties.

[FR Doc. 75-6 Filed 1-3-75; 8:45 am]

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[1] The term "Indian Reservation" means any federally-recognized reservation established by Treaty, Agreement, Executive Order, or Act of Congress.

[2] The term "Indian Governing Body" means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing power of self-government.

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PART IV

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

■

CAPITAL AND OPERATING ASSISTANCE FORMULA GRANTS; INTERIM GUIDELINES AND PROCEDURES

Advanced Notice of Proposed Rulemaking

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

[49 CFR Ch. VI]

[UMTA Docket No. 74-04]

URBAN MASS TRANSPORTATION PROGRAMS

Interim Guidelines and Procedures for Capital and Operating Assistance Formula Grants; Advanced Notice of Proposed Rulemaking

The purpose of this notice is to promulgate interim standards, guidelines and procedures to implement section 5 of the Urban Mass Transportation Act of 1964 (49 U.S.C. § 1604), as amended by section 103(a) of Pub. L. 93-503 (88 Stat. 1565; November 26, 1974), the National Mass Transportation Assistance Act of 1974. As soon as possible the Urban Mass Transportation Administration intends to issue formal regulations which will incorporate the procedures and policies set forth in these guidelines.

Section 5 creates a new program of federal assistance to urban mass transportation systems through grants on a formula basis which may be used by the recipients either for capital or operating assistance. An aggregate amount of $3.975 billion is authorized for this program for fiscal years 1975 through 1980.

This legislation is of great significance for the future of mass transportation, and represents a major opportunity to improve the quality of life, particularly for those living and working in our urban centers. It is our intent to implement the provisions of this legislation cooperatively with states and local areas, in a manner which maximizes local decisionmaking, while carrying out the federal oversight required by the law.

The resources and flexibility provided by this Act, when used in conjunction with the resources and flexibility provided by the Federal-Aid Highway Act of 1973, give states and local areas an opportunity to deal comprehensively with their urban transportation problems. For the first time, federal funds will be available to assist localities in meeting the operating, as well as the capital costs of maintaining and improving their mass transportation service. Metropolitan areas now have an opportunity to assess their total transit service needs and to meet them with federal assistance. The Department of Transportation encourages communities to use this opportunity to reexamine their needs and reassess their priorities—taking the widest possible perspective in considering uses for these federal resources.

An attachment to this Notice describes the formula for apportioning these funds and lists the annual amounts to be made available to each urbanized area with a population of 200,000 or over. Funds attributable to urbanized areas with a population of under 200,000 will be apportioned directly to the Governor of each state.

The Act calls for federal approvals at several stages of the process for utilizing the funds distributed under section 5. It is anticipated that this can be accomplished expeditiously, with a minimum of pre-emption of local decisions. The basic elements of this program are outlined below, and are explained more fully in the attached guidelines.

1. The Governor, responsible local officials, and publicly-owned operators of mass transportation services, with the concurrence of the UMTA Administrator, shall jointly designate the recipient(s) for section 5 funds in urbanized areas of 200,000 or more population. In any case in which a statewide or regional agency or instrumentality is responsible under state laws for the financing, construction, and operation, directly, by lease, contract, or otherwise, of public transportation services, they must include such agency as a designated recipient. For areas under 200,000, the Governor is the recipient.

2. A single annual program of projects for each urbanized area shall be submitted for UMTA approval by the recipient(s), through the Metropolitan Planning Organization. This program must be consistent with the comprehensive urban transportation planning process required by the federal statutes governing the Federal Highway and Urban Mass Transportation Administrations. (Areas which desire project approval prior to June 30, 1975, should submit their proposed program by March 1, 1975. Funds apportioned in FY-1975 will, however, remain available until September 30, 1977.)

3. For each section 5 project included in the approved program of projects, the recipient shall submit an application for UMTA approval (Areas which desire project approval prior to June 30, 1975, should submit applications by May 1, 1975.)

4. An agreement for undertaking each section 5 project shall be executed between UMTA and the recipient. Cash disbursement will be made by UMTA in accordance with performance under the terms of the project agreement.

This notice and the attached guidelines have been prepared to provide preliminary guidance on the implementation of section 5. Information on other provisions of the Act will be forthcoming at a later date.

Interested parties and government agencies are invited to submit, at their earliest convenience, written comments, views, or data concerning the interim guidelines promulgated hereby, to the Chief Counsel, Urban Mass Transportation Administration, Room 9320, 400 7th St. SW, Washington, D.C. 20590.

All such submissions received, as well as the experience gained through the administration of the section 5 program, will be considered in the preparation of the formal regulations. Such formal regulations will be published in the FEDERAL REGISTER for notice and comment prior to final promulgation.

Issued at Washington, D.C. January 2, 1975.

FRANK C. HERRINGER,
Urban Mass Transportation Administrator.

URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED

PRELIMINARY GUIDELINES FOR PROJECT DEVELOPMENT FOR SECTION 5 FUNDS

A. Introduction and Definitions.
B. Designation of Recipients.
C. Allocation for Urbanized Areas Under 200,000.
D. Planning Requirement.
E. Boundaries for Urbanized Areas.
F. Program Requirement.
G. Project Application.

Introduction.

General Requirements for Capital and Operating Projects.
1. Maintenance of Effort.
2. Improve or Continue Service.
3. Fares: Elderly and Handicapped.
4. Protection of the Interest of Employees.
5. Social, Environmental and Economic Impact.
6. Public Hearing.
7. Other General Requirements.
Specific Requirements for Capital Assistance Applications.
Specific Requirements for Operating Assistance Applications.

A. INTRODUCTION AND DEFINITIONS

Section 5 of the Urban Mass Transportation Act of 1964, as amended (the Act) provides a six year mass transportation assistance program for urbanized areas apportioned on the basis of a statutory formula. Urbanized areas may use section 5 funds by developing specific capital assistance and/or operating assistance projects under the statutory requirements of the Act as described in these guidelines. Apportioned funds will be made available subject to required UMTA approvals, and cash disbursements will be consistent with current UMTA practices. Funds apportioned in each year of the program are available for project approval through the end of the second fiscal year following the fiscal year in which they are apportioned.

The Act requires that projects be developed through a continuing, cooperative and comprehensive urban transportation planning process, resulting in plans and programs for a unified or officially coordinated urban transportation system consistent with the planned development of the urban area. UMTA makes an annual determination that these planning requirements are met prior to making section 5 approvals.

The Governor, responsible local officials and publicly-owned operators of mass transportation services will designate recipients for funds under section 5 for urbanized areas of 200,000 or more population. In any case, however, in which a statewide or regional agency is responsible under state laws for the financing, construction and operation—directly, by lease, contract or otherwise—of public transportation services, they must include such agency as a designated recipient. In urbanized areas of under 200,000 population, the Governor or his designee is the recipient. The recipient will receive and dispense section 5 funds and must have legal capacity to enter into project agreements with UMTA.

The Act requires the submission of a program of projects to UMTA for use of section 5 funds. The annual program of Section 5 projects must be consistent with the current approved Transit Development Program and the comprehensive planning process.

The amount of Federal assistance requested under section 5 cannot exceed the apportioned funds available to the area. Section 5 requires that the program of projects results from the planning process undertaken cooperatively by the State, responsible local officials, and local transit operators. The submission of the program of projects by Section 5 recipients will be through the Metropolitan Planning Organization which must endorse the program.

This Act declares it to be in the national interest to encourage and promote the development of transportation systems embracing various modes of transport. In support of this objective, UMTA invites the inclusion of projects in the annual program which are designed to supplement regular route service such as neighborhood and community-level transit service. Such projects may include demand-responsive transportation, jitneys and special services for the elderly, handicapped and transit disadvantaged. Both private and public mass transportation operators are eligible for assistance under section 5 of the Act.

Approval for funding of projects will be based upon submissions required under the Act. The capital assistance project application will follow the existing format for projects funded under section 3 of the Act, with the additions required by section 5. The Federal share will be up to 80 percent for capital assistance projects.

An operating assistance project application must address the statutory requirements as described in these guidelines. The Federal share for an operating assistance project may be up to 50 percent of the project cost, subject to the availability of section 5 funds and local matching share.

Section 15 of the Act requires that UMTA prescribe a uniform system of accounts and records to replace the various systems currently in use. No project shall be approved after July 1, 1978, unless the recipient or user of the funds is subject to both the reporting system and the uniform system of accounts records. Until such a uniform system is prescribed, UMTA will accept the system currently used.

DEFINITIONS

"Governor" means the Governor, or his designee, of any one of the fifty States or of Puerto Rico, and the Mayor of the District of Columbia.

"Local fiscal year" is the fiscal year of the mass transportation operator.

"Mass Transportation" means transportation by bus, or rail or other conveyance, either publicly or privately owned, which provides to the public, general or special service (but not including school buses or charter or sightseeing service) on a regular and continuing basis.

"Metropolitan Planning Organization" means the organization designated by the Governor as being responsible, together with the State, for carrying out the provisions of 23 U.S.C. 134 (Federal-Aid Highway planning requirements), and capable of meeting the requirements of 49 U.S.C. 1603(a), (Urban Mass Transportation planning requirements).

"Project application" means the surveys, plans, specifications, and estimates required to be submitted under section 5(b)(1) of the Act. Surveys, plans, specifications, and estimates consist of the documentation specified in these guidelines.

"Recipient" means a Governor (or his designee) or any agency designated under section 5(b)(2) of the Act that has the responsibilities or capacities listed in Part B of these procedures.

"Responsible Local Officials" are principal elected officials of general purpose local governments, acting through the Metropolitan Planning Organization designated by the Governor.

"Urbanized area" means an area so designated by the Bureau of the Census, within boundaries which shall be fixed by responsible State and local officials in cooperation with each other, and in consultation with the publicly-owned operators of mass transportation services subject to approval of the Administrator of UMTA. At a minimum, such boundaries shall encompass the entire urbanized area within the State as designated by the Bureau of the Census.

B. DESIGNATION OF RECIPIENTS

REQUIREMENTS

Section 5 funds will be made available to urbanized areas through recipients which must be public entities and legally capable of receiving and dispensing Federal funds. The Governor, responsible local officials and publicly-owned operators of mass transportation services must jointly designate recipient(s) for urbanized areas of 200,000 or more population. In any case in which a statewide or regional agency or instrumentality is responsible under State laws for the financing, construction and operation—directly, by lease, contract or otherwise—of public transportation services, the Governor, responsible local officials and publicly-owned operators must include such agency as a designated recipient. The Governor is the recipient for urbanized areas under 200,000 population.

Section 5 of the Act requires that the recipient must have the legal capacity to assume all of the following specific responsibilities:

(1) Receive and dispense Federal funds for transit purposes;

(2) Submit a program of projects to UMTA and the Governor through the Metropolitan Planning Organization;

(3) Submit project applications to UMTA;

(4) Enter into formal project agreements with UMTA;

(5) Certify that a public hearing has been conducted.

The recipient must have the legal capacity to enter into a formal project agreement (contract) with UMTA. However, it need not be the direct user of funds or provider of services. Thus, public entities, such as general purpose governments and agencies thereof, councils of government, planning organizations, transit or transportation authorities, which can satisfy the foregoing requirements, may be designated as recipients.

The designation of a single recipient is encouraged for an urbanized area, for contiguous urbanized areas, or for multistate urbanized areas; however, several recipients may be designated.

PROCEDURES FOR DESIGNATION

Submittal to UMTA. Designation shall be accompanied by documentation indicating the joint concurrence of the Governor, responsible local officials and publicly-owned operators of mass transportation services. On behalf of the parties to this designation, the Governor will submit the names of the recipients to the Administrator, including an opinion of each designated recipient's counsel as to its legal capacity to perform the functions of a recipient.

Administrator's Concurrence. Designations must be concurred in by the Administrator. Notification of the Administrator's concurrence will be made to the recipients.

Designation By The Administrator. It is envisioned that all concerned parties will concur on the identity of the recipients. However, in the event that agreement cannot be reached, the Administrator has the authority to designate a recipient, in order to allow needed funds to flow to an area.

Revisions to Designations. Designations may be revised at any time under the same process used for initial designations.

C. ALLOCATION FOR URBANIZED AREAS UNDER 200,000

Funds attributable to urbanized areas under 200,000 in each State will be apportioned to the Governor for expenditure in these urbanized areas in amounts which he or she shall determine consistent with the comprehensive planning requirements. Nothing in these guidelines precludes the development of a formula by the Governor for distribution of the funds; however, a formula is not a requirement.

The Governor shall determine the amounts to be available to each such urbanized area. It is expected that over the life of the program period (6 years), each urbanized area will receive fair and equitable treatment. In general, this will result in every urbanized area receiving an amount approximating the amount attributable to it under the apportionment formula.

Funds apportioned for urbanized areas under 200,000 shall not be made available for expenditure in urbanized areas of 200,000 or more population.

D. PLANNING REQUIREMENT

BACKGROUND

UMTA currently makes an annual determination of the eligibility of urbanized areas for UMTA assistance under the planning requirements of the Act. This determination encompasses the geographic area for which urban transportation planning is being conducted, and takes into account the organizational arrangements, the planning process and the resulting plans and programs. The planning requirements of the Act are amended to require that projects be developed through a continuing, cooperative and comprehensive urban transportation planning process. This process must result in plans and programs for a unified or officially coordinated urban transportation system, consistent with the planned development of the urban area.

In accordance with the FHWA and UMTA intent to combine procedures for urban transportation planning, a proposed regulation has recently been issued which will merge the administration of the respective statutory planning requirements in urbanized areas. When promulgated, this proposed regulation [39 FR 39660 (1974)—Urban Transportation Planning] will be sufficient to implement the planning requirements of Section 5. However, until it is revised to reflect this new Section and finally promulgated, UMTA will continue to make an annual determination based on the following criteria.

ANNUAL DETERMINATION

UMTA will annually review the status of planning in the area and determine the eligibility of the area for UMTA assistance under the planning requirements of the Act. The determination will take into account, but not be limited to:

Existence of a Metropolitan Planning Organization, designated by the Governor.

Existence of an effective decision-making process.

Existence of an adequate on-going transportation planning process consistent with the planned development of the urban area.

Existence of a Transit Development Program resulting from the transportation planning process with an endorsed program of section 5 projects.

A finding of current validity of the transportation plan by the Metropolitan Planning Organization.

Existence of an adequate unified work program.

Existence of current and valid agreements establishing responsibilities for carrying out transportation planning.

A deficiency in any particular factor will not necessarily result in a negative determination. UMTA, consistent with its current practice, may make a positive determination with conditions that specify corrective actions be taken or with limitations as to the categories of projects that may be approved. In order to make this determination, UMTA may request information relating to these requirements from the Metropolitan Planning Organization.

PROJECT REVIEW

No project will be approved unless it is developed through the continuing, cooperative and comprehensive urban transportation planning process and included in plans and programs for a unified or officially coordinated urban transportation system consistent with the planned development of the urbanized area. Prior to project approval, UMTA will determine that the area has met the planning requirements of the Act and that the project is included in the approved annual program of projects.

E. BOUNDARIES FOR URBANIZED AREAS

Section 5 permits the fixing of boundaries to define the geographic extent of projects funded under section 5. The boundaries shall be fixed so that they encompass at a minimum, the entire urbanized area designated within a State by the Census Bureau and, if desired, adjacent areas which may be included by responsible State and local officials in cooperation with each other and in consultation with publicly-owned operators of mass transportation services. All Section 5 projects consisting of the construction or improvement of fixed facilities shall be within these boundaries. All other Section 5 capital assistance, as well as operating assistance projects, must serve mass transportation within the urbanized area but need not be constrained by these boundaries.

Boundaries set for the purpose of section 5 and for the Title 23 Highway Program should be the same. Regulations governing the establishment of boundaries under Title 23 were proposed in 39 FR 36350 (1974)—Urban Area Boundaries. Prior to final promulgation, the regulations will be revised to include the section 5 requirement. Proposed boundaries must be submitted for approval to the UMTA and FHWA Administrators.

These boundaries should not be confused with the boundaries used for apportionment of section 5 funds. The computation for apportionment of section 5 funds is based exclusively on the geographic boundaries defined by the Bureau of the Census and will not be affected by boundaries established for project purposes.

F. PROGRAM REQUIREMENT

BACKGROUND

This section defines the steps to be followed in the programming of section 5 projects.

UMTA currently requires a Transit Development Program (TDP) which is a product of the urban transportation planning process and is a staged multiyear program of Federally and non-Federally funded mass transportation improvements. The TDP is necessary to satisfy the requirement that projects approved under Section 5 are needed to carry out a program for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of urban areas. If a current TDP is on file with UMTA, it need not be resubmitted.

In addition to the TDP, an annual program of projects will now be required to identify the capital and opearting projects to be submitted for approval under section 5. Project applications will not be considered unless the project has been included in an approved annual program of projects.

As described under the Planning Requirement section of these guidelines, joint programming procedures are being proposed by UMTA and FHWA (39 FR 39665 [1974]—Transportation Improvement Program). When adopted, these joint regulations will include section 5 projects and will replace the requirements outlined in this section of the guidelines.

GENERAL REQUIREMENT

The recipient(s) shall submit to the Administrator, through the Metropolitan Planning Organization, a single annual program of projects for use of section 5 funds for each urbanized area both over and under 200,000 population. The annual program of projects shall identify the operating and capital projects proposed for Federal assistance in the local fiscal year for which assistance is sought and shall encompass the geographic area for which long-range transportation planning is being conducted. Where more than one urbanized area is included in this geographic area, only one annual program of projects is to be submitted. The annual program of projects may indicate use of apportioned funds in or for a multistate urbanized area without constraint as to State boundaries. The program of projects may be amended at any time through the process by which it was originally developed.

PROGRAM CONTENT

The annual program of projects shall consist of projects with a total Federal funding requirement not to exceed the amount of section 5 funds apportioned to the urbanized area or, in the case of urbanized areas under 200,000, shall not exceed the amount of funds apportioned to the Governor and made available by the Governor to the urbanized area.

The annual program of projects shall include:

A narrative description of how the program of projects relates to the Transit Development Program and how each project contributes to a unified or officially coordinated transportation system.

Descriptive material sufficient to identify each project.

The name of the recipient who will submit a formal project application to UMTA, and the name of the entity that will actually carry out the project.

An expression of intent to submit a program of actions for improving the efficiency of transit services with the FY 1976 program of projects.

PROJECT INITIATION FOR INCLUSION IN THE PROGRAM OF PROJECTS

Section 5 operating and capital assistance projects to be included in the program of projects may be initiated by recipients, local public and private operators of mass transportation services, or principal elected officials of general purpose local governments in consultation with local operators of mass transportation services.

ACTION REQUIRED BY METROPOLITAN PLANNING ORGANIZATION

The Metropolitan Planning Organization shall annually endorse the program of projects as a product of the continuing comprehensive planning process. The Metropolitan Planning Organization shall then forward the endorsed program to the Administrator and to the Governor(s).

APPROVAL

UMTA shall provide a 30-day review period from the date of submission during which the Governor may submit comments to UMTA unless the Governor has indicated that no comments will be forthcoming.

Upon the determination of the Administrator that the program or portion thereof is in conformance with these procedures and that the urbanized area is eligible under the planning requirements for assistance, notice of program acceptance will be given to the recipients and the Metropolitan Planning Organization. When so notified, the area becomes eligible for Section 5 assistance, and the recipients may submit project applications to UMTA.

REQUIREMENTS TO CONSERVE ENERGY AND TO IMPROVE THE EFFICIENCY OF TRANSIT SERVICE

UMTA intends to promulgate special requirements to conserve energy and improve the efficiency of transit service pursuant to section 5(d)(2) of the Act. The requirements will take the form of a regulation stipulating the submission of a short-range, staged implementation plan for Fiscal Year 1976. Beginning in Fiscal Year 1977, an annual program of projects shall not be approved unless it contains documented evidence of reasonable progress in the implementation of the staged plan.

It is anticipated that the energy conservation and transit efficiency improvement plan will be required to:

1. Indicate measures that will be adopted to increase the efficiency, effectiveness and fuel economy of transit operations, such as: designation of a coordinated network of exclusive or reserved transit lanes on expressways, arterials and city streets wherever such lanes can substantially contribute to more efficient, rapid and reliable movement of transit vehicles, especially during peak periods; procedures to enforce such lanes; improved scheduling and dispatching techniques; real-time bus control; traffic signal preemption; and other actions designed to give buses preference or to facilitate their movement in mixed flow of traffic.

2. Consider the need for and assess the feasibility of additional traffic management, pricing and regulatory measures which might contribute to conserving energy and to improving the efficiency of the overall transportation system, such as: parking restrictions; use of differential tolls and transit fares to promote off-peak travel; promotion of staggered work hours; creation of transitways; provision of fringe parking along principal transit routes; and other actions designed to make more efficient use of the existing transportation facilities.

3. Identify positive management actions on the part of transit operators which would improve the efficiency and productivity of transit operations.

G. PROJECT APPLICATION

INTRODUCTION

A project application is to be submitted for each capital or operating assistance project contained in the annual program of projects approved by UMTA. Capital and operating assistance projects must meet certain general requirements as well as specific requirements applicable to the type of project for which funding is sought. The following material describes those requirements and provides information regarding the content of the project application.

GENERAL REQUIREMENTS FOR CAPITAL AND OPERATING PROJECTS

1. Maintenance of Effort.

a. Requirement—The maintenance of effort requirement is imposed to ensure that State and local support, and mass transportation non-fare box revenues will be maintained for provision of mass transportation services.

The level of effort which must be maintained during the local fiscal year for which assistance is sought is equal to the average amount of State and local government funds and non-fare box mass transportation revenues expended on the operation of mass transportation service in the two immediately preceding local fiscal years. The local fiscal years are those of the operator of mass transportation services. Failure to maintain this effort disqualifies a mass transportation operator from receiving assistance under section 5. The following items are to be included in the maintenance of effort calculation:

State and local government funds applied to mass transportation operating expenses.

Mass transportation system non-fare box revenues such as advertising, concessions, and property leases.

Cost of contributed services necessary for the operation of mass transportation services which are not otherwise reimbursed.

While the maintenance of effort shall be maintained in total, nothing precludes changes within the individual amounts comprising the total maintenance of effort. The maintenance of effort sum shall not include revenues from fare collections, school bus and charter bus services revenues, State and local government funds applied to the acquisition of property and capital facilities or to the repayment of long-term debt, income not directly attributable to the provisions of mass transportation services, cost of contributed property and capital facilities and amounts made available through the Federal Revenue Sharing Program.

It is also expected that current exemptions from State and local taxes will be maintained.

b. Documentation—The calculation of the required maintenance of effort for operators of mass transportation services requesting assistance under section 5 shall be a part of the project application. This shall consist of a "Statement of Revenues and Expenses" and a "Statement of Changes in Financial Position" indicating projected or actual amounts for the local fiscal year for which assistance is sought and showing actual amounts for the two immediately preceding local fiscal years. The statements shall indicate and summarize the items included in the maintenance of effort calculation. Contributed services shall be documented as to their valuation and as to the basis for allocation of benefits to transportation operations.

In the event that accounting principles and practices have changed during the local fiscal years reported, a restatement of the changed reporting period will be necessary for comparison purposes. Such changes in accounting principles shall be described and the effects of such changes documented. For purposes of reporting to UMTA, changes in accounting principles will be subject to UMTA approval.

The following certification must be made by an independent certified public accountant with regard to the financial statements:

"The comparative financial statements relating to maintenance of effort, fairly present the actual and projected sources of funds and results of operations for all local fiscal years reported, in conformity with generally accepted accounting principles applied on a consistent basis."

2. Improve or Continue Service.

a. Requirement—The operators of mass transportation services receiving Section 5 assistance shall use the assistance to improve or continue such services. However, improvement and continuation does not preclude selected reductions and reallocations of services where the changes can be shown to improve the overall mobility within the urbanized area.

b. Documentation—The project application shall contain assurances that the project will be used to improve or continue mass transportation services.

c. Notice—UMTA may issue further guidelines pursuant to this requirement.

3. Fares: Elderly and Handicapped.

a. Requirement—In order to receive section 5 assistance, an operator of mass transportation services must provide for charging no more than one-half of the peak hour fare to elderly and handicapped persons during non-peak hours. As defined in 16(d) of the Act, "handicapped person" means any individual who, by reason of illiness, injury, age, congenital malfunction or other permanent or temporary incapacity or disability, is unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected. The definition of "elderly" may be determined by the operator but must include, as a minimum, persons 65 years of age and over. The one-half fare requirement must be met prior to execution of the formal project agreement.

b. Documentation—The project application shall include a description of the procedure for carrying out this requirement.

4. Protection of the Interests of Employees.

a. Requirement—Section 13c of the Act requires that fair and equitable arrangements as determined by the Secretary of Labor must be made to protect the interests of employees affected by section 5 assistance. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment.

b. Notice—UMTA is currently discussing with the Secretary of Labor a simplified procedure for meeting the section 13c requirement. Documentation procedures will be announced as soon as possible. In the interim, the existing Section 13c procedure will be applicable.

5. Social, Environmental and Economic Impact.

a. Requirement—The requirements under Protection of the Environment on pages IIB-8 through IIB-11 of the UMTA "External Operating Manual" for environmental analysis must be met. Additional considerations are required for projects funded under section 5. The analysis must document consideration of the best overall public interest, taking into account the need for fast, safe and efficient transportation, public services, and conservation of environment and natural resources, and the cost of eliminating or minimizing adverse social, economic, and environmental effects such as:

Air, noise and water pollution.

Destruction or disruption of manmade and natural resources, aesthetic values, community cohesion and the availability of public facilities and services.

Adverse employment effects, and tax and property value losses.

Injurious displacement of people, businesses and farms.

Disruption of desirable community and regional growth.

For construction projects, the required environmental, social and economic analysis must include analysis of the effects of the proposed location and design consideration given to various alternatives considered.

Operating assistance projects and capital assistance projects for rolling stock may involve few of the listed impacts. Where no significant impact on the environment is expected, this should be substantiated in a statement declaring that the effects are negative.

The above provisions are not applicable to projects for preliminary engineering.

b. Documentation—The detailed environmental, social and economic analysis of section 5 projects should be contained in a report to be submitted to UMTA as a part of the project application. A draft of the report shall be available for the required public hearing.

6. Public Hearing.

a. Requirement—The recipient shall hold a public hearing on each proposed section 5 project. A public hearing may be held before the project application is submitted to UMTA.

The recipient shall publish a notice of intent to hold the public hearing in newspapers of general circulation in the locality, including newspapers oriented to the minority communities. This notice shall be advertised at least twice, with the first advertisement occurring not less than 30 days before the date of the hearing. The notice shall indicate that the proposed project application, the program of section 5 projects, the Transit Development Program and the draft report describing the environmental, social and economic impacts of the proposed project or projects, will be made available on a reasonable basis for public inspection.

The notice shall describe the proposed project in detail sufficient to inform members of the general public of: (1) The purpose or intent of the pubic hearing; (2) the nature and location of the project; (3) the estimated cost and method of financing the project; (4) the number of families and businesses likely to be displaced by the project; (5) any significant effects anticipated as a result of the project; (6) conformance to comprehensive land use and transportation planning; and (7) any other features of the project which raise significant economic, social or environmental issues.

In addition to publication, the notice shall also be provided to the principal elected public official of each general purpose unit of government within whose jurisdiction the proposed project will be located. In the case of fixed facilities the notice shall be provided to the principal elected official of the general purpose unit of government in which the project is to be physically located. In the case of projects involving non-fixed facilities or the payment of operating expenses, the notice must be provided to the principal elected official of each general purpose unit of government within the service area of the mass transportation operator receiving the assistance. The notice may also include a statement that, should the Urban Mass Transportation Administration prepare a formal statement of the environmental impacts of the project, the availability of such statement from UMTA will be made known by publication in the same manner as publication of the notice of hearing.

b. Documentation—The applicant must submit a copy of the published notice, a transcript of the public hearing, and the final report on environmental, social and economic impacts of the project with the plans, specifications and estimates. If impact issues were raised at the public hearing that were not addressed in the draft report available at the hearing, supplemental material should be added prior to submittal of the final report to UMTA.

The final report shall also include the views, if any, of the principal elected officials of any jurisdiction in which the project is to be located. In addition, it shall address any views of those elected officials in whose jurisdiction a project involving the improvement or construction of a fixed facility is to be located with respect to corridor, location and design.

If UMTA determines that the notice of public hearing or the hearing itself was inadequate to give parties with significant social, economic or environmental interests an adequate opportunity to present their views with regard to the proposed project, it may require the applicant to hold an additional hearing. If there is any substantial change in the scope of the project after a hearing is held, an additional hearing will be required.

7. Other General Requirements.

Other General Requirements which must be met by capital and operating assistance projects, funded under section 5, are listed below with page reference (where available) to UMTA's External Operating Manual or to the Act.

a. Protection of Private Transportation Companies (p. IIB-6).

b. Charter Bus Operations, section 3(f), UMT Act.

c. School Bus Operations, section 3(g), UMT Act.

d. Non-discrimination in Program Benefits (Title VI Civil Rights Assurance) (p. IIB-13 and Appendix 3, Exhibit N.).

e. Special Needs of the Elderly and Handicapped (p. IIB-14).

f. Review of Area Planning (p. IIB-7).

SPECIFIC REQUIREMENTS FOR CAPITAL ASSISTANCE APPLICATIONS

Capital assistance projects funded under section 5 shall meet the General Requirements listed above. The requirements for capital assistance projects described in section IIB of the UMTA External Operating Manual shall also be met. In those cases, where the requirements are duplicative (such as Environment and Public Hearing), the section 5 requirement will take precedence.

UMTA encourages the use of section 5 funds for routine bus purchases. Any application for section 3 capital grant funds for assistance in annual or periodic bus replacement programs will describe, as an element of project justification, the attempts made by the applicant to use section 5 funds and Federal-Aid Urban System funds to meet the need of all or part of its bus replacement program.

Eligible projects include the acquisition, construction, and improvement of facilities and equipment for use, by operation, lease or otherwise, in mass transportation service. Eligible projects may include the designing, engineering, locating, surveying, mapping, acquisition of right-of-way, relocation assistance, and acquisition and replacement of housing sites necessary to carry out the project.

The Federal share of the net project cost shall not exceed 80 percent. Additional requirements which must be met by capital assistance projects funded under section 5 and their references in the current UMTA External Operating Manual are:

a. Use of Project Equipment, (p. IIB-12).

b. Amount of Capital Grant and Net Project Cost (p. IIB-2).

c. Relocation Requirements (p. II-13).

d. Provisions of the Davis-Bacon Act (p. IIB-31).

SPECIFIC REQUIREMENTS FOR OPERATING ASSISTANCE APPLICATIONS

1. Definition of Operating Assistance Project—An operating assistance project represents the eligible operating expenses incurred or projected during a local fiscal year by a mass transportation operator or system serving an urbanized area. A project may combine assistance for more than one operator, i.e., the project may cover an entire transportation system.

2. Project Period—The project period shall be for the local fiscal year except that for the first year only those expenses which are incurred on or after November 26, 1974, can be included. Should the first year commence prior to November 26, 1974, it will be necessary to allocate operating expenses to the portion of the project period prior to November 26, 1974, and to the portion of the project period falling after November 25, 1974. Apportioned funds may be used in one or more local fiscal years, so that less than the total apportionment may be used for any one local fiscal year. However, a separate application must be made for each local fiscal year's expenses for which assistance is sought.

3. Federal Share—The Federal share of an operating assistance project shall be limited to:

(1) Up to 50 percent of the total eligible expenses incurred in operating a public transportation system in the fiscal years for which assistance is sought;

(2) Availability of section 5 funds apportioned to the urbanized area in which the public transportation system operates;

(3) Availability of local share, as defined below, to match Federal funds.

Federal funds must be applied to eligible operating expenses.

4. Local Share for Operating Assistance Projects—Federal funds must be matched by one or more of the following sources:

(1) State and local government funds.

(2) Non-fare box transit system operating revenues such as advertising, concessions, and property leases; but not school and charter bus revenues.

(3) The cost of contributed services necessary for the operation of mass transportation services (any such cost must be documented as to its valuation and as to the basis for allocation of such cost to transit operations).

(4) Undistributed cash surpluses.

(5) Replacement or depreciation funds or reserves available in cash.

(6) New capital.

To be eligible as local share, funds from the above sources must be expended for mass transportation services for the local fiscal year of the project. Local share shall not include amounts made available through other Federal programs including Federal General Revenue Sharing except to the extent specifically permitted by law.

5. Project Documentation—The operating assistance project shall be described as follows:

(a) A "Statement of Revenues and Expenses" and a "Statement of Changes in Financial Position" shall specify the results of operations and the source and application of Federal, State and local Government funds and other transportation revenues. Contributed property and services shall be shown as a footnote to the above statements or on a separate statement. Encumbrances need not be included. (This documentation requirement will be satisfied by the documentation requirement for maintenance of effort.)

(b) An explanation shall be given of changes from the preceding fiscal year to include, but not limited to the following:

Projected changes in level of service.

Projected changes in expenses for providing the existing level of service.

Anticipated changes in revenues and contributed services.

6. Definition of Eligible Expenses—Eligible expenses are those operating expenses incurred on an accrual basis during the project period by a mass transportation operator (operators) in an urbanized area. Such expenses, to be eligible, whether charged to the project on a direct or indirect basis, must be in conformance with the requirements of Federal Management Circular 74-4 (FMC 74-4), "Cost Principles Applicable to Grants and Contracts with State and Local Governments," (formerly OMB Circular A-87) except as modified or further clarified herein.

(a) For purposes of interpretation of FMC 74-4, the term "grantee" shall refer to the private or public entity providing the transportation service, the term "grant program" shall refer to the improvement and/or continuance of mass transportation service and the cost allocation plan shall be submitted directly to UMTA upon approval of the project application by UMTA.

(b) Eligible operating expenses shall be limited to direct labor, material and overhead expenses as well as expenses for contractual services directly incident to the management and operation of transportation services. Supportive services provided by general purpose local governments or planning agencies must have a direct benefit to the provision of transportation services. Consistent with the provisions of FMC 74-4, the cost allocation plan shall document the basis for allocation of such supportive services expenses to transit operations.

(c) Operating expenses incurred prior to the enactment of the National Mass Transportation Assistance Act of 1974 (November 26, 1974) are not allowable.

(d) Expenses incurred by a mass transportation operator in the development of a program of projects, where this technical support is unique to the operation of a system or directs time and resources from the operation of the system, may be included as expenses of the transportation operator. However, where this technical support duplicates staff capability of other agencies or where such support is provided by contract with another public or private entity, such expenses are ineligible.

(e) Expenses incurred by the Governor, the designated recipient or other party in its capacity as an intermediary for providing Section 5 funds between UMTA and the entity providing the mass transportation service are not eligible operating expenses.

(f) Expenses that are reimbursed by other Federal programs or other urban transportation activities of DOT are not eligible.

(g) For public mass transportation operators, depreciation is not allowable. For private mass transportation operators, depreciation is allowable to the extent that (a) capital equipment and facilities acquisition are not subsidized by Federal, State and local government funds; (b) such depreciation has not been previously recognized for income tax purposes; and (c) the depreciation method shall not cause depreciation to be accelerated beyond the IRS guidelines.

(h) For public mass transportation operators, proceeds from the sale of capital equipment and facilities will not offset eligible operating expenses. If such equipment or facilities had originally been acquired with UMTA assistance, a pro rata share of the net proceeds will be refunded to UMTA. For private mass transportation operators, proceeds from the sale of equipment or facilities in excess of the depreciated value of such equipment or facilities shall offset eligible operating expenses.

(i) For private mass transportation operators, provision for income taxes is not an eligible operating expense.

(j) Pension benefits and contributions to a pension plan are eligible only if they are actually paid.

(k) Interest and other financial costs associated with borrowings to provide working capital to pay current operating expenses are eligible operating expenses.

(l) Costs of advisory councils are eligible only with prior UMTA approval.

(m) Interest income earned on working capital will offset eligible operating expenses.

Any category of expense not described in FMC 74-4 or above, may be submitted to UMTA for a determination as to eligibility.

Changes in accounting principles which affect the method by which operating expenses are compiled will be documented as described under the maintenance of effort section. In addition, an explanation shall be given for expenses which are currently carried as operating expenses of the transportation operator but which previously were not carried as such.

SCHEDULE OF APPORTIONMENTS

Under section 5(b)(1) funds are authorized for apportionment to Governors and urbanized areas for each of six years. The amounts are as follows:

Fiscal year:	*In millions*
1975	$300
1976	500
1977	650
1978	775
1979	850
1980	900
6-Year total	3,975

Under this program funds are to be apportioned to urbanized areas (as defined by the Bureau of the Census) according to a formula under which one-half is proportional to urbanized area population and one-half is proportional to population weighted by a factor of density. In the attached projections, the second-half of this formula is computed on the basis of the product of an area's population times its population density expressed as percent per square mile of land area. A mathematical specification of the formula is attached as a technical appendix.

Amounts attributable to urbanized areas of 200,000 population and above are apportioned directly to the urbanized for use by recipients to be designated by the Governors, responsible local officials, and public transit operators, in accordance with a single program of projects for the urbanized area. Apportionments for multi-State urbanized areas have been computed on the basis of the area as a whole, although these apportionments have been broken down into State portions in order to illustrate the sub-allocation that would result from applying the same formula within such areas as has been used in computing the initial apportionment among all urbanized areas.

Amounts attributable to urbanized areas with population less than 200,000 are apportioned to the Governors of each State. In order to project these apportionments, the proportions attributable to each such area have been individually computed and then accumulated into a single State proportion of the total funds to be apportioned. In this computation, multi-State urbanized areas were first treated as a whole to arrive at its proportionate share of the total and then each State's share of that total was computed on the basis of the same formula approach.

Both tables show the population, land area and density figures used in the computation, the composite proportion of the total fund allocable to that area, or portions thereof, resulting from application of the formula; (factor weight); and the dollar allocation resulting from that factor weight to the next lowest even dollar amount.

Data on population and population density has been taken from the latest available Bureau of the Census reports of the 1970 Census. Specific sources are cited in the Technical Appendix.

PROJECTED APPORTIONMENTS FOR URBANIZED AREAS OF 200,000 POPULATION AND ABOVE

As explained in the introductory note, apportionments are made directly to urbanized areas of greater than 200,000 population. The following projected apportionments have been computed on the basis of the entire urbanized area, taken as a whole, even if the area includes portions in more than one State. In the case of multi-State urbanized areas, the projected apportionments for the entire area have been broken down into State portions to illustrate the suballocation that would result from applying the same formula within such areas as has been applied among all urbanized areas.

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
NEW YORK,N.Y.-NORTH		16206841	2425	6683	.177850596	53355178	88925298	115602864	137834178	151172984	160065536	706956038
(PART:NEW YORK)		11369576	1153	9853	.142279863	42683959	71139931	92481893	110266866	120937865	128051877	565562391
(PART:NEW JERSEY)		4837265	1271	3805	.035570725	10671217	17785362	23120966	27567305	30235111	32013652	141393613
LOS ANGELES-LONG BE		8351266	1572	5313	.079888811	23966643	39944405	51927716	61913813	67905479	71899929	317557985
CHICAGO,ILL.-NORTHW		6714578	1277	5257	.063845765	19153729	31922882	41499739	49480455	54268892	57461188	253786885
(PART:ILLINOIS)		6185156	1072	5768	.060332585	18099775	30166292	39216172	46757741	51282689	54299326	239821995
(PART:INDIANA)		529422	204	2583	.003513177	1053952	1756588	2283564	2722711	2986199	3161858	13964872
PHILADELPHIA,PA.-N.		4021066	752	5349	.038614551	11584365	19307275	25099453	29926269	32822363	34753096	153492821
(PART:PENNSYLVANIA)		3277021	530	6180	.033132403	9939720	16566201	21536057	25677605	28162538	29819162	131701283
(PART:NEW JERSEY)		744045	221	3357	.005482147	1644644	2741073	3563394	4248662	4659824	4933932	21791529
DETROIT,MICH		3970584	872	4553	.034882151	10464645	17441075	22673393	27033660	29649823	31393935	138656531
SAN FRANCISCO-OAKLA		2987850	681	4387	.025739050	7721715	12869525	16730379	19947759	21878189	23165145	102312712
BOSTON,MASS		2652575	664	3992	.021774180	6532254	10887090	14153214	16874985	18508050	19596762	86552355
WASHINGTON,D.C.-MD.		2481489	495	5018	.022985905	6895771	11492952	14940835	17814071	19538016	20687314	91368959
(PART:WASHINGTON,D.C)		756510	61	12221	.010447032	3134109	5223516	6790569	8096448	8879976	9402329	41526947
(PART:MARYLAND)		1009138	250	4034	.007376330	2212899	3688165	4794613	5716654	6269879	6638697	29320907
(PART:VIRGINIA)		715841	183	3911	.005162551	1548765	2581275	3355657	4000976	4388167	4646295	20521135
CLEVELAND,OHIO		1959880	646	3033	.014156776	4247032	7078388	9201902	10971498	12033257	12741098	56273175
ST.LOUIS,MO.-ILL		1882944	461	4088	.015642254	4692676	7821126	10167463	12122743	13295913	14078028	62177949
(PART:MISSOURI)		1568468	336	4656	.013570947	4071283	6785473	8821113	10517481	11535302	12213851	53944503
(PART:ILLINOIS)		314476	123	2540	.002071307	621392	1035653	1346349	1605262	1760610	1864176	8233442
PITTSBURGH,PA		1846042	596	3095	.013452098	4035629	6726048	8743861	10425373	11434281	12106888	53472080
MINNEAPOLIS-ST.PAUL		1704429	721	2363	.011138127	3341438	5569063	7239781	8632046	9467406	10024314	44274048
HOUSTON,TEX		1677863	539	3115	.012261060	3678317	6130529	7969687	9502318	10421899	11034953	48737703
BALTIMORE,MD		1579781	310	5103	.014771409	4431422	7385704	9601414	11447839	12555695	13294268	58716342
DALLAS,TEX		1338684	674	1986	.008229501	2468850	4114750	5349174	6377861	6995074	7406550	32712259
MILWAUKEE,WIS		1252457	457	2744	.008674929	2602478	4337464	5638702	6723068	7373688	7807436	34482836
SEATTLE-EVERETT,WAS		1238107	413	2997	.008897403	2669220	4448701	5783310	6895485	7562791	8007662	35367169
MIAMI,FLA		1219661	259	4715	.010917923	3275376	5458961	7096648	8461388	9280233	9826130	43398736
SAN DIEGO,CALIF		1198323	381	3148	.008797433	2639229	4398716	5718330	6818008	7477817	7917689	34969789
ATLANTA,GA		1172778	435	2696	.008065203	2419560	4032601	5242380	6250530	6855421	7258682	32059174
CINCINNATI,OHIO-KY		1110514	335	3314	.008342209	2502662	4171104	5422434	6465210	7090876	7507988	33160274
(PART:OHIO)		913536	267	3415	.006945788	2083736	3472894	4514761	5382984	5903919	6251209	27609503
(PART:KENTUCKY)		196978	67	2913	.001396420	418926	698210	907673	1082225	1186957	1256778	5550769
KANSAS CITY,MO.-KAN		1101787	493	2234	.007053954	2116186	3526977	4585069	5466813	5995860	6348558	28039463
(PART:MISSOURI)		751579	358	2098	.004691238	1407371	2345619	3049304	3635708	3987551	4222114	18647667
(PART:KANSAS)		350208	135	2594	.002362716	708814	1181358	1535765	1831104	2008308	2126444	9391793

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
BUFFALO,N.Y		1086594	214	5085	.010139871	3041961	5069935	6590914	7858397	8618888	9125883	40305978
DENVER,COLO		1047311	293	3577	.008150454	2445136	4075227	5297794	6316600	6927885	7335408	32398050
SAN JOSE,CALIF		1025273	277	3699	.008107476	2432242	4053738	5269858	6283292	6891353	7296728	32227211
NEW ORLEANS,LA		961728	184	5227	.009114973	2734491	4557486	5924731	7064102	7747725	8203475	36232010
PHOENIX,ARIZ		863357	388	2228	.005522135	1656640	2761067	3589386	4279653	4693813	4969921	21950480
PORTLAND,OREG.-WASH		824926	267	3092	.006008688	1802606	3004344	3905646	4656732	5107384	5407819	23884531
(PART:OREGON	)	751756	235	3196	.005535591	1660677	2767795	3598133	4290082	4705251	4982032	22003970
(PART:WASHINGTON	)	73170	31	2315	.000473097	141929	236548	307512	366649	402132	425787	1880557
SAN JUAN,P.R.		820442	103	7965	.010084135	3025240	5042067	6554686	7815202	8571513	9075721	40084429
INDIANAPOLIS,IND		820259	381	2152	.005182418	1554725	2591209	3368571	4016373	4405055	4664176	20600109
PROVIDENCE-PAWTUCKE		795311	244	3258	.005928632	1778589	2964316	3853610	4594688	5039336	5335769	23566308
(PART:RHODE ISLAND	)	729337	211	3450	.005523960	1657188	2761980	3590573	4281068	4695365	4971564	21957738
(PART:MASSACHUSSETTS)		65974	32	2017	.000404672	121401	202336	263036	313620	343971	364204	1608568
COLUMBUS,OHIO		790019	235	3369	.005979290	1793787	2989645	3886537	4633948	5082395	5381361	23767673
SAN ANTONIO,TEX		772513	223	3466	.005923793	1777137	2961896	3850464	4590938	5035222	5331413	23547070
LOUISVILLE,KY.-IND		739396	210	3514	.005706313	1711893	2853156	3709102	4422391	4850365	5135681	22682588
(PART:KENTUCKY	)	657908	182	3606	.005129056	1538716	2564528	3333885	3975017	4359697	4616150	20387993
(PART:INDIANA	)	81488	28	2910	.000577256	173176	288628	375216	447373	490667	519530	2294590
DAYTON,OHIO		685942	224	3060	.004973787	1492135	2486893	3232960	3854683	4227717	4476407	19770795
FORT WORTH,TEX		676944	396	1708	.003968111	1190433	1984055	2579271	3075284	3372893	3571299	15773235
NORFOLK-PORTSMOUTH,		668259	299	2235	.004279071	1283721	2139535	2781395	3316279	3637210	3851164	17009304
MEMPHIS,TENN.-MISS		663976	196	3396	.005043750	1513124	2521874	3278436	3908905	4287186	4539374	20048899
(PART:TENNESSEE	)	655045	192	3399	.004977808	1493342	2488904	3235574	3857800	4231136	4480027	19786783
(PART:MISSISSIPPI	)	8931	2	3189	.000065941	19782	32970	42861	51104	56050	59347	262114
SACRAMENTO,CALIF		633732	244	2595	.004292410	1287723	2146205	2790065	3326616	3648547	3863169	17062325
FORT LAUDERDALE-HOL		613797	212	2893	.004345334	1303600	2172667	2824466	3367633	3693533	3910800	17272699
ROCHESTER,N.Y		601361	146	4127	.005019809	1505942	2509904	3262874	3890350	4266836	4517827	19953733
SAN BERNARDINO-RIVE		583597	310	1884	.003526471	1057941	1763235	2292205	2733014	2997499	3173823	14017717
OKLAHOMA CITY,OKLA		579788	339	1710	.003399793	1019937	1699896	2209865	2634838	2889823	3059813	13514172
BIRMINGHAM,ALA		558099	225	2485	.003717049	1115114	1858524	2416081	2880712	3159491	3345344	14775266

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
AKRON,OHIO		542775	204	2667	.003716494	1114948	1858246	2415720	2880281	3159019	3344844	14773058
JACKSONVILLE,FLA		529585	351	1508	.002995488	898646	1497743	1947066	2321502	2546164	2695939	11907060
SPRINGFIELD-CHICOPE		514308	238	2163	.003255225	976567	1627612	2115895	2522798	2766940	2929702	12939514
(PART:MASSACHUSSETTS)		456135	214	2131	.002870461	861138	1435230	1865799	2224607	2439891	2583415	11410080
(PART:CONNECTICUT)		58173	23	2444	.000384763	115429	192381	250096	298191	327048	346287	1529432
ST.PETERSBURG,FLA		495159	161	3085	.003603133	1080939	1801566	2342035	2792427	3062662	3242819	14322448
OMAHA,NEBR.-IOWA		491776	151	3252	.003662904	1098871	1831451	2380887	2838749	3113467	3296613	14560038
(PART:NEBRASKA)		426929	109	3906	.003303345	991003	1651672	2147173	2560091	2807842	2973010	13130791
(PART:IOWA)		64847	41	1547	.000359559	107867	179779	233713	278658	305625	323603	1429245
TOLEDO,OHIO-MICH		487789	166	2947	.003480335	1044100	1740167	2262217	2697258	2958284	3132301	13834327
(PART:OHIO)		475928	156	3043	.003416028	1024808	1708014	2220417	2647421	2903623	3074425	13578708
(PART:MICHIGAN)		11861	9	1303	.000064307	19292	32153	41799	49837	54660	57876	255617
ALBANY-SCHENECTADY-		486525	151	3233	.003614294	1084288	1807147	2349290	2801077	3072149	3252864	14366815
SALT LAKE CITY,UTAH		479342	184	2601	.003249647	974894	1624823	2112270	2518475	2762199	2924682	12917343
HARTFORD,CONN		465001	131	3563	.003612073	1083621	1806036	2347846	2799355	3070261	3250865	14357984
NASHVILLE-DAVIDSON,		448444	344	1306	.002443451	733035	1221725	1588242	1893673	2076932	2199105	9712712
HONOLULU,HAWAII		442397	115	3847	.003565588	1069676	1782794	2317631	2763330	3030749	3209029	14173209
RICHMOND,VA		416563	145	2881	.002943893	883167	1471946	1913530	2281516	2502308	2649503	11701970
BRIDGEPORT,CONN		413366	149	2778	.002877550	863265	1438775	1870407	2230100	2445917	2589795	11438259
YOUNGSTOWN-WARREN,O		395540	129	3076	.002874576	862372	1437287	1868473	2227795	2443388	2587118	11426433
SYRACUSE,N.Y		376169	96	3910	.003056161	916848	1528080	1986504	2368524	2597736	2750545	12148237
TULSA,OKLA		371499	180	2063	.002313167	693950	1156583	1503558	1792703	1966191	2081850	9194835
WILMINGTON,DEL.-N.J		371267	110	3381	.002814527	844358	1407263	1829442	2181257	2392347	2533074	11187741
(PART:DELAWARE)		349674	96	3616	.002690543	807162	1345271	1748852	2085170	2286961	2421488	10694904
(PART:NEW JERSEY)		21593	13	1648	.000123984	37195	61991	80589	96087	105386	111585	492833
TAMPA,FLA		368742	131	2826	.002585098	775529	1292548	1680313	2003450	2197332	2326588	10275760
ALLENTOWN-BETHLEHEM		363517	99	3691	.002871569	861470	1435784	1866519	2225465	2440832	2584411	11414481
(PART:PENNSYLVANIA)		338316	91	3681	.002669193	800758	1334596	1734975	2068624	2268814	2402274	10610041
(PART:NEW JERSEY)		25201	6	3818	.000202375	60712	101187	131543	156840	172018	182137	804437
GRAND RAPIDS,MICH		352703	146	2412	.002322615	696784	1161307	1509699	1800026	1974222	2090353	9232391
NEW HAVEN,CONN		348341	107	3246	.002592407	777722	1296203	1685064	2009114	2203545	2333166	10304814
EL PASO,TEX		337471	119	2826	.002365870	709760	1182934	1537815	1833548	2010989	2129282	9404328

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
TACOMA,WASH		332521	129	2584	.002248481	674544	1124240	1461512	1742572	1911208	2023633	8937709
FLINT,MICH		330128	96	3425	.002517583	755274	1258791	1636428	1951126	2139945	2265824	10007388
ORLANDO,FLA		305479	132	2320	.001982758	594827	991379	1288792	1536637	1685344	1784482	7881461
WICHITA,KANS		302334	105	2877	.002135382	640614	1067691	1387998	1654920	1815074	1921844	8488141
ALBUQUERQUE,N.MEX		297451	114	2600	.002016231	604869	1008115	1310549	1562578	1713796	1814607	8014514
TUCSON,ARIZ		294184	105	2810	.002057566	617269	1028782	1337417	1594613	1748930	1851809	8178820
SOUTH BEND,IND.-MIC		288572	103	2807	.002017425	605227	1008712	1311326	1563504	1714811	1815682	8019262
(PART:INDIANA	)	265148	90	2936	.001876823	563046	938411	1219934	1454537	1595299	1689140	7460367
(PART:MICHIGAN	)	23424	12	1873	.000140602	42180	70301	91391	108966	119512	126542	558892
WEST PALM BEACH,FLA		287561	136	2108	.001803817	541145	901908	1172480	1397957	1533244	1623435	7170169
CHARLOTTE,N.C		279530	106	2645	.001907681	572304	953840	1239992	1478452	1621528	1716913	7583029
TRENTON,N.J.-PA		274148	65	4192	.002306737	692021	1153368	1499378	1787720	1960726	2076063	9169276
(PART:NEW JERSEY	)	242673	54	4420	.002082020	624605	1041009	1353312	1613564	1769716	1873817	8276023
(PART:PENNSYLVANIA	)	31475	10	2997	.000224717	67415	112358	146066	174155	191009	202245	893248
NEWPORT NEWS-HAMPTO		268263	143	1872	.001617711	485313	808855	1051511	1253725	1375053	1455939	6430396
DAVENPORT-ROCK ISLA		266119	118	2248	.001707598	512279	853798	1109938	1323388	1451458	1536838	6787699
(PART:ILLINOIS	)	139824	52	2688	.000949247	284774	474623	617010	735666	806859	854322	3773254
(PART:IOWA	)	126295	66	1902	.000758351	227505	379175	492927	587721	644597	682515	3014440
AUSTIN,TEX		264499	86	3083	.001924141	577242	962070	1250691	1491209	1635519	1731727	7648458
FRESNO,CALIF		262908	79	3324	.001977673	593301	988836	1285487	1532696	1681021	1779905	7861246
MOBILE,ALA		257816	168	1531	.001464376	439312	732187	951844	1134891	1244719	1317938	5820891
DES MOINES,IOWA		255824	109	2345	.001667037	500110	833518	1083573	1291953	1416980	1500332	6626466
BATON ROUGE,LA		249463	85	2949	.001780411	534123	890205	1157266	1379818	1513349	1602369	7077130
WORCESTER,MASS		247416	84	2931	.001761225	528367	880612	1144796	1364949	1497041	1585102	7000867
PEORIA,ILL		247121	107	2316	.001602961	480888	801480	1041924	1242294	1362516	1442664	6371766
OXNARD-VENTURA-THOU		244653	112	2194	.001556283	466884	778141	1011583	1206118	1322840	1400654	6186220
CANTON,OHIO		244279	77	3164	.001797379	539213	898689	1168296	1392968	1527772	1617641	7144579
COLUMBIA,S.C		241781	103	2341	.001574534	472360	787266	1023446	1220263	1338353	1417080	6258768

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
HARRISBURG,PA		240751	78	3071	.001748414	524524	874207	1136468	1355020	1486151	1573572	6949942
LAS VEGAS,NEV		236681	121	1953	.001446960	434088	723480	940524	1121394	1229916	1302264	5751666
SHREVEPORT,LA		234564	94	2487	.001562724	468817	781362	1015770	1211111	1328315	1406452	6211827
AURORA-ELGIN,ILL		232917	77	3033	.001682426	504727	841213	1093576	1303880	1430062	1514183	6687641
SPOKANE,WASH		229620	78	2951	.001639264	491779	819631	1065521	1270429	1393374	1475337	6516071
LANSING,MICH		229518	73	3127	.001680043	504012	840021	1092027	1302033	1428036	1512038	6678167
CHARLESTON,S.C		228399	99	2302	.001478234	443470	739117	960852	1145631	1256498	1330410	5875978
FORT WAYNE,IND		225184	69	3264	.001680019	504005	840009	1092011	1302014	1428015	1512016	6678070
CHATTANOOGA,TENN.-G		223580	117	1916	.001358367	407509	679183	882938	1052733	1154611	1222529	5399503
(PART:GEORGIA)		28947	15	1982	.000177836	53350	88918	115593	137823	151160	160052	706896
(PART:TENNESSEE)		194633	102	1906	.001180530	354159	590265	767344	914910	1003450	1062477	4692605
WILKES-BARRE,PA		222830	83	2701	.001533548	460064	766774	996806	1188499	1303515	1380193	6095851
LITTLE ROCK-NORTH L		222616	95	2336	.001448583	434574	724291	941578	1122651	1231295	1303724	5758113
CORPUS CHRISTI,TEX		212820	130	1633	.001231107	369332	615553	800219	954107	1046441	1107996	4893648
COLUMBUS,GA.-ALA		208616	106	1964	.001277742	383322	638870	830531	990249	1086080	1149967	5079019
(PART:GEORGIA)		183335	87	2097	.001139732	341919	569865	740825	883291	968771	1025758	4530429
(PART:ALABAMA)		25281	18	1344	.000138010	41402	69004	89706	106957	117308	124208	548585
ROCKFORD,ILL		206084	61	3378	.001561661	468498	780830	1015079	1210286	1327411	1405494	6207598
MADISON,WIS		205457	69	2986	.001474153	442245	737076	958198	1142467	1253029	1326737	5859752
COLORADO SPRINGS,CO		204766	90	2275	.001319597	395879	659798	857737	1022687	1121657	1187637	5245395
SCRANTON,PA		204205	98	2075	.001274016	382204	637007	828110	987362	1082913	1146614	5064210
LAWRENCE-HAVERHILL,		200280	84	2373	.001310855	393256	655427	852055	1015912	1114226	1179769	5210645
(PART:MASSACHUSSETTS)		182438	71	2544	.001212574	363772	606286	788172	939744	1030687	1091316	4819977
(PART:NEW HAMPSHIRE)		17842	12	1404	.000098281	29484	49140	63882	76167	83538	88452	390663

12/15/74

NATIONAL MASS TRANSPORTATION ASSISTANCE ACT OF 1974:

PROJECTED APPORTIONMENTS FOR URBANIZED AREAS LESS THAN 200,000 POPULATION

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						-------- ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) --------						
ALABAMA												
ANNISTON,ALA		58851	37	1574	.000336870							
FLORENCE,ALA		62926	42	1498	.000355281							
GADSDEN,ALA		67706	55	1227	.000363416							
HUNTSVILLE,ALA		146565	123	1191	.000781274							
MONTGOMERY,ALA		138983	51	2720	.000959215							
TUSCALOOSA,ALA		85875	44	1965	.000526060							
TOTAL STATE APPORTIONMENT:					.003322115	996634	1661057	2159374	2574638	2823797	2989903	13205403
ALASKA												
ANCHORAGE,AK		110782	55	2033	.000686378							
TOTAL STATE APPORTIONMENT:					.000686378	205913	343188	446145	531942	583420	617739	2728347
ARIZONA												
TOTAL STATE APPORTIONMENT:					.0	0	0	0	0	0	0	0
ARKANSAS												
FORT SMITH,ARK.-OKL *		73422	57	1279	.000397138							
PINE BLUFF,ARK		60907	21	2928	.000433377							
TEXARKANA,TEX.-ARK *		21682	9	2258	.000138574							
TOTAL STATE APPORTIONMENT:					.000969089	290726	484544	629907	751044	823725	872180	3852126

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
CALIFORNIA												
ANTIOCH_PITTSBURG		59585	22	2672	.000408297							
BAKERSFIELD,CALIF		176155	57	3080	.001280925							
MODESTO,CALIF		106107	34	3093	.000772983							
SALINAS,CALIF		62456	15	4164	.000523721							
SANTA BARBARA,CALIF		129774	37	3498	.000999401							
SANTA CRUZ,CA		73758	34	2144	.000465399							
SANTA ROSA,CALIF		75083	38	1966	.000460026							
SEASIDE-MONTEREY,CA		93284	24	3871	.000754142							
SIMI VALLEY,CALIF		56936	25	2296	.000368148							
STOCKTON,CALIF		160373	47	3427	.001223347							
TOTAL STATE APPORTIONMENT:					.007256389	2176916	3628194	4716652	5623700	6167929	6530750	28844141
COLORADO												
BOULDER,COLO		68634	14	4868	.000625175							
PUEBLO,COLO		103300	32	3279	.000772277							
TOTAL STATE APPORTIONMENT:					.001397452	419235	698725	908343	1083024	1187833	1257706	5554866
CONNECTICUT												
BRISTOL,CONN		71732	37	1923	.000436326							
DANBURY,CONN		66651	55	1214	.000356863							
MERIDEN,CONN		98454	71	1393	.000545251							
NEW BRITAIN,CONN		131349	39	3359	.000992770							
NEW LONDON_NORWICH		139121	75	1845	.000835084							
NORWALK,CONN		106707	42	2571	.000720119							
STAMFORD,CONN		184898	70	2657	.001264135							
WATERBURY,CONN		156986	60	2621	.001067496							
TOTAL STATE APPORTIONMENT:					.006218043	1865412	3109021	4041727	4818982	5285336	5596238	24716716
DELAWARE												
TOTAL STATE APPORTIONMENT:					.0	0	0	0	0	0	0	0

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
FLORIDA												
DAYTONA BEACH,FA		115176	85	1355	.000633362							
FORT MYERS,FA		69129	43	1593	.000397052							
GAINESVILLE,FLA		69329	29	2391	.000455048							
LAKELAND,FA		66739	27	2445	.000441752							
MELBOURNE-COCOA,FA		178948	107	1676	.001043073							
PENSACOLA,FLA		166619	66	2509	.001113824							
SARASOTA-BRADENTON		167298	92	1026	.001000952							
TALLAHASSEE,FLA		77851	30	2612	.000528662							
TOTAL STATE APPORTIONMENT:					.005613726	1684117	2806863	3648921	4350636	4771666	5052353	22314556
GEORGIA												
ALBANY,GA		76512	33	2326	.000497085							
AUGUSTA,GA.-S.C	*	126770	43	2927	.000881136							
MACON,GA		128065	51	2496	.000854386							
SAVANNAH,GA		163753	64	2555	.001102406							
TOTAL STATE APPORTIONMENT:					.003335011	1000503	1667505	2167756	2584633	2834759	3001510	13256666
HAWAII												
TOTAL STATE APPORTIONMENT:					.0	0	0	0	0	0	0	0
IDAHO												
BOISE CITY,IDAHO		85187	29	2898	.000603513							
TOTAL STATE APPORTIONMENT:					.000603513	181053	301756	392283	467722	512986	543161	2398961

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
ILLINOIS												
ALTON,IL		95998	42	2313	.000622399							
BLOOMINGTON-NORMAL,		69392	20	3487	.000533610							
CHAMPAIGN-URBANA,IL		100417	18	5487	.000978550							
DECATUR,ILL		99693	37	2680	.000683950							
DUBUQUE,IOWA-ILL	*	2408	1	1852	.000014402							
JOLIET,ILL		155500	55	2827	.001090306							
SPRINGFIELD,ILL		120794	34	3606	.000943651							
TOTAL STATE APPORTIONMENT:					.004866868	1460060	2433434	3163463	3771821	4136837	4380181	19345796
INDIANA												
ANDERSON,IND		80704	43	1860	.000485676							
EVANSVILLE,IND		142476	41	3518	.001100149							
LAFAYETTE-WEST LAFA		79117	19	4254	.000670747							
MUNCIE,IND		90427	25	3691	.000714320							
TERRE HAUTE,IND		80908	32	2560	.000545098							
TOTAL STATE APPORTIONMENT:					.003515989	1054796	1757994	2285392	2724890	2988590	3164390	13976052
IOWA												
CEDAR RAPIDS,IOWA		132008	62	2129	.000830910							
DUBUQUE,IOWA-ILL	*	63142	17	3547	.000485959							
SIOUX CITY, IOWA-	*	87157	55	1578	.000498882							
WATERLOO,IOWA		112881	69	1627	.000652291							
TOTAL STATE APPORTIONMENT:					.002468042	740412	1234021	1604227	1912732	2097835	2221237	9810464
KANSAS												
ST.JOSEPH,MO.-KANS	*	1283	1	855	.000006373							
TOPEKA,KANS		132108	53	2502	.000882173							
TOTAL STATE APPORTIONMENT:					.000888546	266563	444273	577555	688623	755264	799691	3531969
KENTUCKY												
HUNTINGTON-ASHLAND,	*	53316	23	2278	.000332022							
LEXINGTON,KY		159538	40	3998	.001310582							
OWENSBORO,KY		53133	12	4465	.000461977							
TOTAL STATE APPORTIONMENT:					.002104581	631374	1052290	1367977	1631049	1788893	1894122	8365705

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						-------- ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) --------						
LOUISIANA												
ALEXANDRIA,LA		77609	37	2092	.000485551							
LAFAYETTE,LA		78544	25	3154	.000577111							
LAKE CHARLES,LA		88260	34	2635	.000601433							
MONROE,LA		90567	40	2259	.000582162							
TOTAL STATE APPORTIONMENT:					.002246257	673877	1123128	1460066	1740848	1909318	2021631	8928868
MAINE												
LEWISTON-AUBURN,MAI		65212	68	960	.000332138							
PORTLAND,MAINE		106599	56	1914	.000647426							
TOTAL STATE APPORTIONMENT:					.000979564	293869	489782	636716	759161	832629	881607	3893764
MARYLAND												
TOTAL STATE APPORTIONMENT:					.0	0	0	0	0	0	0	0
MASSACHUSSETTS												
BROCKTON,MASS		148844	53	2835	.001044860							
FALL RIVER,MASS.-R.	*	123491	29	4214	.000956455							
FITCHBURG-LEOMINSTE		78053	61	1282	.000423365							
LOWELL,MASS		182731	62	2943	.001303020							
NEW BEDFORD,MASS		133667	34	3966	.001093661							
PITTSFIELD,MASS		62872	44	1442	.000351359							
TOTAL STATE APPORTIONMENT:					.005172720	1551815	2586359	3362267	4008856	4396810	4655447	20561554
MICHIGAN												
ANN ARBOR,MICH		178605	45	3969	.001461893							
BATTLE CREEK,MI		77922	31	2506	.000520657							
BAY CITY,MICH		78097	26	2981	.000559944							
JACKSON,MICH		78572	36	2177	.000498438							
KALAMAZOO,MICH		152083	73	2075	.000948832							
MUSKEGON-MUSKEGON H		105716	52	2021	.000653686							
SAGINAW,MICH		147552	* 44	3392	.001120240							
TOTAL STATE APPORTIONMENT:					.005763691	1729107	2881845	3746398	4466859	4899136	5187321	22910666

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						-------- ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) --------						
MINNESOTA												
DULUTH-SUPERIOR,MIN	*	105639	71	1471	.000584702							
FARGO-MOREHEAD,N.DK	*	32026	9	3371	.000242073							
LA CROSSE,WIS.-MINN	*	3142	2	1428	.000017412							
ROCHESTER,MINN		56604	15	3724	.000449057							
ST CLOUD,MINN		52059	19	2769	.000361915							
TOTAL STATE APPORTIONMENT:					.001655160	496547	827579	1075853	1282748	1406885	1489643	6579255
MISSISSIPPI												
BILOXI-GULFPORT,MIS		121601	64	1909	.000737916							
JACKSON,MISS		190060	72	2632	.001294545							
TOTAL STATE APPORTIONMENT:					.002032461	609738	1016230	1321099	1575156	1727591	1829214	8079028
MISSOURI												
COLUMBIA,MO		59231	42	1410	.000329063							
ST.JOSEPH,MO.-KANS	*	75940	30	2498	.000502869							
SPRINGFIELD,MO		121340	63	1923	.000738077							
TOTAL STATE APPORTIONMENT:					.001570009	471002	785004	1020505	1216756	1334507	1413008	6240782
MONTANA												
BILLINGS,MONT		71197	27	2647	.000486038							
GREAT FALLS,MONT		70905	22	3253	.000528196							
TOTAL STATE APPORTIONMENT:					.001014233	304270	507116	659251	786030	862098	912810	4031575
NEBRASKA												
LINCOLN,NEBR		153443	52	2945	.001094488							
SIOUX CITY,IOWA-NEB	*	7920	4	1841	.000047468							
TOTAL STATE APPORTIONMENT:					.001141956	342586	570978	742271	885015	970662	1027760	4539272
NEVADA												
RENO,NEV		99687	38	2658	.000681656							
TOTAL STATE APPORTIONMENT:					.000681656	204496	340827	443076	528283	579407	613490	2709579
NEW HAMPSHIRE												
MANCHESTER,N.H		95140	39	2433	.000628568							
NASHUA,N.H		60961	34	1820	.000364357							
TOTAL STATE APPORTIONMENT:					.000992924	297877	496462	645400	769516	843985	893631	3946871

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						-------- ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) --------						
NEW JERSEY												
ATLANTIC CITY,N.J		134016	67	1997	.000825372							
VINELAND-MILLVILLE,		73579	85	863	.000367419							
TOTAL STATE APPORTIONMENT:					.001192791	357837	596395	775314	924412	1013872	1073512	4741342
NEW MEXICO												
TOTAL STATE APPORTIONMENT:					.0	0	0	0	0	0	0	0
NEW YORK												
BINGHAMTON,N.Y		167224	52	3197	.001236087							
ELMIRA,NY		74039	24	3111	.000540739							
POUGHKEEPSIE,NY		102649	55	1877	.000619533							
UTICA-ROME,N.Y		180355	75	2418	.001188783							
TOTAL STATE APPORTIONMENT:					.003585142	1075542	1792571	2330342	2778484	3047370	3226628	14250937
NORTH CAROLINA												
ASHEVILLE,N.C		72451	38	1897	.000438764							
BURLINGTON,NC		59891	31	1951	.000366023							
DURHAM,N.C		100764	43	2343	.000656406							
FAYETTEVILLE,N.C		161370	73	2202	.001027831							
GASTONIA,NC		94725	59	1619	.000546596							
GREENSBORO,N.C		152252	61	2488	.001014498							
HIGH POINT,N.C		93547	52	1796	.000556813							
RALEIGH,N.C		152289	71	2160	.000963418							
WILMINGTON,N.C		57645	29	1967	.000353245							
WINSTON-SALEM,N.C		142584	66	2160	.000902022							
TOTAL STATE APPORTIONMENT:					.006825614	2047684	3412806	4436648	5289849	5801770	6143052	27131809
NORTH DAKOTA												
FARGO-MOREHEAD,N.DK	*	53420	14	3815	.000428070							
TOTAL STATE APPORTIONMENT:					.000428070	128421	214035	278245	331754	363859	385263	1701577

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STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						-------- ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) --------						
OHIO												
HAMILTON,OHIO		90912	38	2380	.000595683							
HUNTINGTON-ASHLAND,	*	29250	12	2340	.000183841							
LIMA,OHIO		70295	27	2566	.000474029							
LORAIN-ELYRIA,OHIO		192265	106	1807	.001146577							
MANSFIELD,OHIO		77599	41	1897	.000469940							
PARKERSBURG,WVA_OH	*	7189	3	2246	.000045842							
SPRINGFIELD,OHIO		93653	25	3702	.000740862							
STEUBENVILLE-WEIRTO	*	48262	19	2567	.000322248							
WHEELING,W.VA.-OHIO	*	32239	6	4959	.000285733							
TOTAL STATE APPORTIONMENT:					.004264755	1279426	2132377	2772090	3305184	3625041	3838279	16952397
OKLAHOMA												
FORT SMITH,ARK.-OKL	*	2095	2	722	.000010144							
LAWTON,OKLA		95687	44	2175	.000606814							
TOTAL STATE APPORTIONMENT:					.000616958	185087	308479	401022	478142	524414	555262	2452406
OREGON												
EUGENE,OREG		139255	55	2518	.000932188							
SALEM,OREG		93041	37	2528	.000623782							
TOTAL STATE APPORTIONMENT:					.001555970	466790	777984	1011380	1205876	1322574	1400372	6184976
PENNSYLVANIA												
ALTOONA,PA		81795	20	4173	.000686643							
ERIE,PA		175263	44	4001	.001440301							
JOHNSTOWN,PA		96146	28	3434	.000734106							
LANCASTER,PA		117097	39	3026	.000844983							
READING,PA		167932	41	4086	.001394723							
WILLIAMSPORT,PA		63880	22	2944	.000455582							
YORK,PA		123106	37	3300	.000923004							
TOTAL STATE APPORTIONMENT:					.006479342	1943802	3239671	4211571	5021489	5507440	5831408	25755381
RHODE ISLAND												
FALL RIVER,MASS.-R.	*	15901	13	1169	.000081351							
TOTAL STATE APPORTIONMENT:					.000081351	24405	40675	52878	63046	69148	73215	323367

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						-------- ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) --------						
SOUTH CAROLINA												
AUGUSTA,GA,-S.C	*	22183	14	1509	.000123624							
GREENVILLE,S.C		157073	71	2215	.001002560							
SPARTANBURG,SC		73638	36	2040	.000456772							
TOTAL STATE APPORTIONMENT:					.001582956	474886	791477	1028921	1226790	1345512	1424660	6292246
SOUTH DAKOTA												
SIOUX CITY,IOWA-NEB	*	860	0	1075	.000004479							
SIOUX FALLS,S.DAK		75146	27	2794	.000524347							
TOTAL STATE APPORTIONMENT:					.000528826	158647	264412	343736	409840	449501	475943	2102079
TENNESSEE												
KINGSPORT,TN_VA	*	66266	46	1425	.000368784							
KNOXVILLE,TENN		190502	86	2213	.001215537							
TOTAL STATE APPORTIONMENT:					.001584321	475296	792160	1029808	1227848	1346672	1425889	6297673

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STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						-------- ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) --------						
TEXAS												
ABILENE,TEX		90571	78	1155	.000479444							
AMARILLO,TEX		127010	61	2092	.000794622							
BEAUMONT,TEX		116350	75	1562	.000664566							
BROWNSVILLE,TEX		52627	15	3462	.000403339							
BRYAN-COLLEGE STATI		51395	33	1539	.000292342							
GALVESTON,TEX		61809	23	2747	.000428300							
HARLINGEN-SAN BENIT		50469	34	1493	.000284690							
KILLEEN,TX		73585	40	1826	.000440263							
LAREDO,TEX		70197	22	3176	.000517368							
LUBBOCK,TEX		150135	77	1952	.000917703							
MCALLEN-PHARR-EDINB		91141	33	2787	.000635300							
MIDLAND,TEX		60371	32	1887	.000364987							
ODESSA,TEX		81645	25	3253	.000608202							
PORT ARTHUR,TEX		116474	73	1596	.000669343							
SAN ANGELO,TEX		63884	34	1896	.000386816							
SHERMAN-DENISON,TEX		55343	35	1604	.000318495							
TEXARKANA,TEX.-ARK	*	36888	21	1740	.000216427							
TEXAS CITY-LA MARQU		84054	83	1016	.000432941							
TYLER,TEX		59781	25	2411	.000393608							
WACO,TEX		118843	90	1322	.000649497							
WICHITA FALLS,TEX		97564	42	2312	.000632452							
TOTAL STATE APPORTIONMENT:					.010530703	3159210	5265351	6844955	8161292	8951096	9477632	41859536
UTAH												
OGDEN,UTAH		149727	61	2455	.000992596							
PROVO-OREM,UTAH		104110	65	1602	.000598932							
TOTAL STATE APPORTIONMENT:					.001591528	477458	795764	1034493	1233434	1352798	1432375	6326322
VERMONT	0	NO URBANIZED AREAS WITHIN STATE										

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
						ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS)						
VIRGINIA												
KINGSPORT,TN_VA	*	4076	2	1852	.000024465							
LYNCHBURG,VA		70842	37	1904	.000429529							
PETERSBURG-COLONIAL		100617	42	2373	.000658550							
ROANOKE,VA		156621	66	2359	.001022849							
TOTAL STATE APPORTIONMENT:					.002135393	640617	1067696	1388004	1654928	1815083	1921853	8488181
WASHINGTON												
RICHLAND_KENNEWICK		71245	55	1300	.000387756							
YAKIMA,WASH		64730	22	2916	.000459781							
TOTAL STATE APPORTIONMENT:					.000847537	254261	423768	550898	656840	720406	762783	3368956
WEST VIRGINIA												
CHARLESTON,W.VA		157662	62	2551	.001060752							
HUNTINGTON-ASHLAND,	*	85017	19	4337	.000692399							
PARKERSBURG,WVA_OH	*	57821	17	3381	.000435033							
STEUBENVILLE-WEIRTO	*	37230	20	1852	.000221933							
WHEELING,W.VA.-OHIO	*	60705	21	2850	.000415235							
TOTAL STATE APPORTIONMENT:					.002825352	847605	1412675	1836478	2189647	2401548	2542816	11230769
WISCONSIN												
APPLETON,WIS		129532	37	3491	.000996606							
DULUTH-SUPERIOR,MIN	*	32713	39	836	.000160896							
GREEN BAY,WIS		129105	78	1664	.000750951							
KENOSHA,WIS		84262	18	4815	.000762938							
LA CROSSE,WIS.-MINN	*	60231	21	2827	.000418469							
OSHKOSH,WIS		55480	13	4403	.000478849							
RACINE,WIS		117408	28	4178	.000986206							
TOTAL STATE APPORTIONMENT:					.004554915	1366474	2277457	2960693	3530057	3871676	4099423	18105780
WYOMING	0	NO URBANIZED AREAS WITHIN STATE										
WASHINGTON,D.C												
TOTAL STATE APPORTIONMENT:					.0	0	0	0	0	0	0	0

* INDICATES A MULTI-STATE URBANIZED AREA

STATE AND URBANIZED AREAS:	# OF UZAS	POPULATION	LAND AREA	DENSITY	FACTOR --WEIGHT--	ANNUAL PROGRAM APPORTIONMENTS (IN DOLLARS) FY 1975	FY 1976	FY 1977	FY 1978	FY 1979	FY 1980	SIX-YEAR ---TOTAL---
PUERTO RICO												
CAGUAS,P.R.		65844	9	7746	.000794478							
MAYAGUEZ,P.R.		69558	14	4864	.000633305							
PONCE,P.R.		128233	17	7543	.001520520							
TOTAL STATE APPORTIONMENT:					.002948304	884491	1474151	1916397	2284934	2506057	2653473	11719503
AMERICAN SAMOA	0	NO URBANIZED AREAS WITHIN STATE										
GUAM	0	NO URBANIZED AREAS WITHIN STATE										
VIRGIN ISLANDS	0	NO URBANIZED AREAS WITHIN STATE										

TECHNICAL APPENDIX: EXPLANATION OF APPORTIONMENT FORMULA AND DATA SOURCES

Section 5(b)(1) of the Urban Mass Transportation Act of 1964, as amended by the National Mass Transportation Act of 1974, directs the Secretary to apportion authorized funds on the basis of a formula under which urbanized areas would be entitled to receive an amount equal to the sum of:

"(A) One-half of the total amount so apportioned multiplied by the ratio which the population of such urbanized area or part thereof, * * * bears to the total population of all urbanized areas * * *; and

(B) One-half of the total amount so apportioned multiplied by a ratio for that urbanized area determined on the basis of population weighted by a factor of density, as determined by the Secretary."

The mathematical expression of the apportionment formula utilized to devise the attached allocation projections is as follows:

Apportionment

$$\text{Factor Weight} = \left[\frac{\left(\frac{P_i}{\sum_{i=278}^{N} P_i}\right) + \left(\frac{P_i d_i}{\sum_{i=278}^{N} P_i d_i}\right)}{2}\right]$$

Where:
P = population of urbanized area
d = population density of urbanized area
i = i-th urbanized area case

Σp = sum of the populations for 278 urbanized areas is calculated to equal 121,750,278
Σpd = the sum of the population times density products for 278 urbanized areas is calculated to equal 486,600,412,290

In cases wherein the urbanized area is divided by two or more State boundaries, an apportionment factor weight is calculated for the whole area. State allocation is made on the basis of the ratios of each State urbanized area component to the sum of all component population and population density values, and applying those ratios to the apportionment factors of the whole urbanized area.

The primary source of data was the Bureau of the Census Report of The County and City Data Book of 1972. Additional Bureau of the Census reports, PC(1) and HC(3) series, were consulted to verify data items and multi-state components.

Population densities are calculated by the Bureau of the Census on a land area to the nearest tenth of a square mile; land area is reported to the nearest whole square mile.

Due to significant number limitations in computation and printout, the various factor weight columns may not add to the printed totals. This also applies to the illustrational splits of the funds apportioned to multi-State urbanized areas over 200,000; the area total is the correct apportionment amount.

[FR Doc.75-425 Filed 1-10-75;8:45 am]

federal register

MONDAY, JANUARY 13, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 8

PART V

FEDERAL ENERGY ADMINISTRATION

MANDATORY PETROLEUM ALLOCATIONS

■

Old Oil Entitlement Notice

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Allocation of Old Oil; Entitlement Notice

Pursuant to the authority of the Emergency Petroleum Allocation Act of 1973, Pub. L. 93–159, the Federal Energy Administration has established the Old Oil Entitlements Program, and in accordance with the provisions of 10 CFR 211.67, the notice specified in § 211.67(i) is hereby published.

Based on reports submitted to FEA by refiners and eligible firms as to crude oil receipts, crude oil runs to stills and eligible product imports for November 1974 and an application of the entitlement adjustment for small refiners provided in 10 CFR 211.67(e), the adjusted national old oil supply ratio for November 1974 is calculated to be .4105.

The issuance of entitlements for the month of November 1974 to refiners and eligible firms is set forth as an Appendix to this notice. The Appendix lists the name of each refiner and other eligible firm to which entitlements have been issued, the number of entitlements issued to each such refiner or other firm, and the number of barrels of old oil included in each refiner's adjusted crude oil receipts.

Pursuant to 10 CFR 211.67(i)(4) and as fixed by FEA notice (39 FR 43103, December 10, 1974), the price at which entitlements issued for the month of November 1974 shall be sold and purchased will be $5. In accordance with 10 CFR 211.67(b), each refiner that has been issued fewer entitlements for the month of November 1974 than the number of barrels of old oil included in its adjusted crude oil receipts is required to purchase a number of entitlements for the month of November 1974 equal to the difference between the number of barrels of old oil included in that refiner's adjusted crude oil receipts for that month and the number of entitlements issued to and retained by that refiner. Refiners which have been issued a number of entitlements for the month of November 1974 in excess of the number of barrels of old oil included in their adjusted crude oil receipts for November 1974, and eligible firms which have been issued entitlements for November 1974, shall sell such excess entitlements to refiners required to purchase entitlements.

The listing of entitlement issuances contained in the Appendix reflects the application of Special Rule No. 3 (39 FR 43814, December 19, 1974) which operates to relieve certain small refiners from the requirement to purchase entitlements for the first 30,000 barrels per day of their daily average volume of crude oil runs to stills for the month of November 1974. Accordingly, for those small refiners whose purchase requirements were totally exempted pursuant to Special Rule No. 3, the Appendix specifies issuance of an incremental number of entitlements equal to the number such refiners would have otherwise been required to purchase. The total number of entitlements so exempted from the purchase requirements of 10 CFR 211.67(b) is 4,187,997. A factor of .7675 has been applied to the number of entitlements available for sale by each refiner and eligible firm, which has the effect of reducing the total number of entitlements available for sale by an amount equal to the total purchase requirements exempted pursuant to Special Rule No. 3.

Refiners which have reported no volumes of old oil receipts and crude oil runs to stills for November 1974, and eligible firms which have filed reports indicating no eligible product imports for this month have not been included in the listing contained in the Appendix.

The total volume of entitlements required to be purchased and sold under this notice is 13,825,979.

Entitlement purchases required under 10 CFR 211.67(b) for the month of November must be effected by January 31, 1975. On or prior to February 10, 1975, each refiner and eligible firm which has been issued entitlements for November shall file with FEA the monthly transaction report specified in 10 CFR 211.66 (i) certifying its purchases and sales of entitlements for the month of November. FEA will mail monthly transaction report forms for November 1974 to reporting firms in January 1975. Refiners and eligible firms which have been unable to locate firms for required entitlement transactions by January 25, 1975 may contact FEA at 202–634–7610 to obtain assistance in locating a firm with outstanding purchase or sale requirements. For refiners and eligible firms that have failed to consummate entitlement transactions on or prior to January 31, 1975, FEA may direct sales and purchases of entitlements pursuant to the provisions of 10 CFR 211.67(j).

Issued in Washington, D.C., January 10, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

APPENDIX

ENTITLEMENTS FOR ALLOCATION OF OLD OIL

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Allied Materials Company	85,285	85,285	0	0
Amerada Hess	4,026,856	6,683,369	0	2,656,513
American Petrofina	2,365,476	2,149,379	216,097	0
Amoco Oil	13,039,123	11,670,710	1,368,413	0
APCO Oil Corporation	366,947	482,768	0	115,821
Arizona Fuels Corporation	44,085	44,085	0	0
Ashland	2,538,982	2,914,328	0	375,346
Atlantic Richfield	5,443,210	6,381,891	0	938,681
Axel Johnson	58,444	204,103	0	145,659
Bay/Dow	22,673	168,328	0	145,655
Bayou State Oil Corporation	46,596	49,987	0	3,391
Beacon Oil Company	301,797	301,797	0	0
Belcher Oil Company	--	118,388	0	118,388

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Blue Ridge Fuel Company	--	23,102	0	23,102
C & H Refining	7,134	7,134	0	0
Calumet Industries	0	23,123	0	23,123
Canal Refining Company	66,260	66,260	0	0
Caribou Four Corners	104,152	104,152	0	0
Castle Coal and Oil Company	--	45,962	0	45,962
Central Petroleum Corp.	--	8,507	0	8,507
Champlin Petroleum	1,814,485	1,752,104	62,381	0
Charter Oil Company	1,062,993	1,051,586	11,407	0
Cirillo Brothers Oil Co.	--	165,171	0	165,171
Cities Service	3,929,417	3,230,328	699,089	0
Claiborne Gas Company	63,732	63,732	0	0
Clark Oil & Refining	339,991	761,099	0	421,108

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Coastal States Gas	1,883,227	1,893,812	0	10,585
Colonial Oil Industries	--	32,860	0	32,860
Commonwealth Oil Refining	603,057	926,773	0	323,716
Consumers Power	--	49,590	0	49,590
Continental Oil	4,430,012	3,809,189	620,823	0
CRA - Farmland Industries, Inc.	662,569	658,585	3,984	0
Cross Oil & Refining	8,405	40,932	0	32,527
Crown Central	1,234,627	1,100,388	134,239	0
Crystal Oil Company (LA)	216,505	239,317	0	22,812
Crystal Refining Company	27,741	37,596	0	9,855
Deepwater Oil Terminals	--	11,553	0	11,553
Delta Refining Company	753,051	735,289	17,762	0
Diamond Shamrock	645,601	663,690	0	18,089

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Dingman Oil & Refining	15,277	16,411	0	1,134
Dorchester Gas	3,553	6,140	0	2,587
Eastern Seabord Petroleum Company	--	92,112	0	92,112
Eddy Refining Company	67,759	67,759	0	0
Edgington Oil Company	485,280	485,280	0	0
Edgington Oxnard Ref.	24,404	24,620	0	216
Elm City Filling Stations	--	52,105	0	52,105
Evangeline Refining Company, Inc.	31,977	31,977	0	0
Exxon	15,896,672	14,497,311	1,399,361	0
Famariss Oil Corporation	484,001	484,001	0	0
Farmers Union Central Exchange, Inc.	274,132	380,228	0	106,096
F. O. Fletcher, Inc.	--	754	0	754
Flether Oil & Refining	204,877	241,753	0	36,876

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Flint Chemical Corporation	10,680	11,064	0	384
Gary Operating Company	40,634	63,530	0	22,896
Getty/Skelly	1,313,831	1,702,997	0	389,166
Giant Industries	2,698	5,134	0	2,436
Gibbs Oil Company	--	14,402	0	14,402
Gladieux Refinery	58,694	58,694	0	0
Golden Eagle Refining Co.	174,508	205,838	0	31,330
Good Hope Refineries	412,551	412,551	0	0
Great Northern Paper Co.	--	12,527	0	12,527
Guam Oil & Refining	0	191,292	0	191,292
Gulf Oil Corp.	11,304,079	10,528,386	775,693	0
Gulf States Oil & Refining	2,705	2,705	0	0
Hawaiian Independent Refinery, Inc.	0	393,399	0	393,399

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Howard Oil Company	--	124,470	0	124,470
Howell Corporation	809,489	794,502	14,987	0
Hunt Oil Company	238,525	249,222	0	10,697
Husky Oil Company	715,701	680,395	35,306	0
Indiana Farm Bureau Cooperative Association	125,103	187,831	0	62,728
J & W Refining, Inc.	223,754	227,757	0	4,003
Kentucky Oil-Refining Co.	1,371	4,863	0	3,492
Kerr-McGee Corporation	2,603,442	2,074,704	528,738	0
Koch Refining Company	699,972	760,523	0	60,551
LaGloria Oil & Gas Company	486,472	486,472	0	0
Lakeside Refining Company	12,380	35,050	0	22,670
Laketon Asphalt Refining, Inc.	209,477	209,477	0	0
Little America Refining Co.	470,160	470,160	0	0

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
MacMillan Refining Oil Co.	130,884	170,221	0	39,337
Marathon Oil Company	4,112,832	3,391,210	721,622	0
Marion Corporation	105,576	201,259	0	95,683
Metropolitan Petroleum Co.	--	85,049	0	85,049
Mid-America Refinery Company, Inc.	0	29,473	0	29,473
Midland Co-op, Inc.	268,931	268,931	0	0
Mobil Oil Corporation	8,881,437	10,104,089	0	1,222,652
Mohawk Petroleum Corporation	605,051	605,051	0	0
Monsanto Company	514,840	523,490	0	8,650
Morrison Petroleum Company	13,813	13,813	0	0
Mountaineer Refinery Co, Inc	6,039	6,039	0	0
Murphy Oil Corporation	1,574,829	1,366,553	208,276	0
National Co-op Refinery Association	662,377	651,567	10,810	0

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
National Oil Recovery Corp.	10,200	10,200	0	0
Navajo Refining Company	426,443	426,443	0	0
New England Petroleum Corp.	--	534,407	0	534,407
Newhall Refining Company	209,508	209,508	0	0
R. B. Newman Fuel Corp.	--	7,533	0	7,533
North American Petroleum Corporation	144,386	144,386	0	0
Northeast Petroleum Industries	--	96,015	0	96,015
Northville Industries, Inc.	--	62,452	0	62,452
Oil Shale Corporation	974,251	949,462	24,789	0
OKC Refinery, Inc.	377,752	377,752	0	0
Oriental Refining Company	36,875	41,484	0	4,609
Pacific Gas & Electric Co.	--	49,196	0	49,196
Pasco, Inc.	759,387	759,387	0	0

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Patchogue Oil Terminal Corporation	--	18,123	0	18,123
Pennzoil Company	661,802	658,968	2,834	0
Petroleum Heat & Power (Stanford, CT)	--	44,637	0	44,637
Petroleum Heat & Power (Philadelphia, PA)	--	27,988	0	27,988
Phillips Petroleum Company	5,138,861	4,693,491	445,370	0
Pioneer Refining Company	18,009	18,009	0	0
Plateau, Inc.	11,141	49,367	0	38,226
Powerine Oil Company	547,254	540,603	6,651	0
Pride Refining, Inc.	357,284	367,367	0	10,083
Quaker State Oil Refining Corporation	23,816	212,405	0	188,589
Rock Island Refining Corp.	475,127	474,738	389	0
Royal Petroleum Corp.	--	12,208	0	12,208
Sage Creek	4,748	5,822	0	1,074

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
San Joaquin Refining Company	226,300	226,300	0	0
Seminole Asphalt Refining Company	0	39,979	0	39,979
Shell Oil Company	14,962,472	11,984,751	2,977,721	0
Socal/Chevron	8,164,000	10,189,243	0	2,025,243
Sohio (Standard Oil Company of Ohio)	3,694,100	3,248,038	446,062	0
Somerset Refinery Company	0	34,177	0	34,177
Sound Refining, Inc.	69,128	69,128	0	0
South Hampton Company	73,559	80,899	0	7,340
Southland Oil Company	375,615	375,615	0	0
Southwestern Refining Co.	610	610	0	0
Steuart Petroleum Company	--	75,774	0	75,774
Sun Oil Company	5,947,592	5,026,750	920,842	0
Sunland Refining Company	104,065	113,497	0	9,432

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Swann Oil Company	--	35,640	0	35,640
Tarricone, Inc.	--	24,672	0	24,672
Tauber Oil Company	--	13,016	0	13,016
Tenneco Oil Company	1,511,673	1,443,920	67,753	0
Tesoro Petroleum Corp.	1,085,766	934,663	151,103	0
Texaco, Inc.	12,709,014	13,330,038	0	621,024
Texas Asphalt & Refining Company	1,035	13,029	0	11,994
Texas City Refining, Inc.	1,030,991	908,239	122,752	0
Thagard Oil	41,498	41,498	0	0
The Refinery Corporation	146,156	205,647	0	59,491
Thriftway Oil Company	5,594	17,721	0	12,127
Thunderbird Resources, Inc.	161,479	194,756	0	33,277
Tonkawa Refining Company	9,492	38,150	0	28,658

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Toro Petroleum Corporation	379,332	424,870	0	45,538
Total Leonard, Inc.	152,282	455,839	0	303,557
Union Oil of California	6,920,012	5,089,287	1,830,725	0
Union Texas Petroleum	136,717	136,717	0	0
United Refining Company	340,589	542,662	0	202,073
U. S. Oil Refining	53,908	169,063	0	115,155
Ven Fuel	--	14,820	0	14,820
Vickers Petroleum Corporation	413,828	431,685	0	17,857
Vulcan Asphalt Refining Company	0	11,681	0	11,681
Waller Petroleum Company	--	10,398	0	10,398
Warrior Asphalt Corporation	72,382	72,382	0	0
Wellen Oil, Inc.	--	23,561	0	23,561
West Coast Oil Company	506,449	506,449	0	0

Name of Refiners and Eligible Firms	Old Oil Receipts (bbls)	Number of Entitlements Issued	Number of Entitlements to be Purchased	Number of Entitlements to be Sold
Western Refining Company	5,511	11,288	0	5,777
Winston Refining Company	279,255	279,255	0	0
Wireback Oil Company	1,764	1,764	0	0
Witco Chemical Corporation	136,112	177,294	0	41,182
Wyatt, Inc.	--	89,597	0	89,597
Yetter Oil Company	0	618	0	618
Young	55,357	55,357	0	0
TOTAL	170,423,681	170,423,681	13,825,979	13,825,979

[FR Doc.75-1263 Filed 1-10-75;11:23 am]

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